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Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Fifth periodic report of States parties

Canada*

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* For the initial report submitted by the Government of Canada see CEDAW/C/5/Add.16, considered by the Committee at its fourth session. For the second periodic report submitted by the Government of Canada see CEDAW/C/13/Add.11, considered by the Committee at its ninth session. For the third periodic report submitted by the Government of Canada see CEDAW/C/CAN/3, considered by the Committee at its sixteenth session. For the fourth periodic report submitted by the Government of Canada see CEDAW/C/CAN/4, considered by the Committee at its sixteenth session. The present document is being issued without formal editing.

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** In geographical order, east to west.

List of Acronyms

AACWI — Alberta Advisory Council on Women's Issues
AAFC — Agriculture and Agri-Food Canada
ADM — Assistant Deputy Minister
APEC — Asia-Pacific Economic Cooperation
ATRA — Alberta Tobacco Reduction Alliance
CALACS — Canadian Association of Sexual Assault Centres (Québec)
CAP — Career Assignment Program
CBCI — Canadian Breast Cancer Initiative
CCTB — Canada Child Tax Benefit
CEDAW — *Convention on the Elimination of All Forms of Discrimination Against Women*
CFNIS — Canadian Forces National Investigation Service
CHR — Commission on Human Rights (United Nations)
CHRA — *Canadian Human Rights Act*
CHRC — Canadian Human Rights Commission
CHST — Canada Health and Social Transfer
CIDA — Canadian International Development Agency
CLSC — community health and social service centres (Québec)
CMHC — Canada Mortgage and Housing Corporation
CNIB — Canadian National Institute for the Blind
CPP — Canada Pension Plan
CSW — Commission on the Status of Women (United Nations)
CWC — Canadian Women in Communications
DAWN — DisAbled Women's Network
DFAIT — Department of Foreign Affairs and International Trade
DIAND — Department of Indian Affairs and Northern Development
DND — Department of National Defence
DVJS — Domestic Violence Justice Strategy (Ontario)
EAPD — Employability Assistance for Persons with Disabilities (Nova Scotia)
EI — Employment Insurance
FAS — fetal alcohol syndrome
FGM — female genital mutilation
FIS — Family Income Supplement
FRA — *Family Relations Act* (British Columbia)
FVPI — Family Violence Prevention Initiative (Nova Scotia)
GAATW — Global Alliance Against Trafficking in Women
GBA — gender-based analysis
GEA — gender equality analysis
GIS — Guaranteed Income Supplement
GST — Goods and Services Tax

HRDC — Human Resources Development Canada
HST — Harmonized Sales Tax
IAAW — Institute for the Advancement of Aboriginal Women (Alberta)
ICPD — International Conference on Population and Development
IMYM — Interdisciplinary Middle Years Multimedia Project (Manitoba)
LCDC — Laboratory Centre for Disease Control
LICO — low-income cutoff
LRA — *Labour Relations Act* (Ontario)
MCP — Management Class Positions (Nova Scotia)
MFE — Department of Child and Family Welfare (Québec)
MPEF — Maritime Provinces Education Foundation
MSSS — Department of Health and Social Services (Québec)
MWE — Ministry of Women's Equality (British Columbia)
NBWI — New Brunswick Women's Institute
NCB — National Child Benefit
NFB — National Film Board
NGO — non-governmental organization
NLS — National Literacy Secretariat
NSCC — Nova Scotia Community College
NP — Nurse Practitioner
OAS — Old Age Security
OAS — Organization of American States
OECD — Organisation of Economic Co-operation and Development
OHS — occupational health and safety
OLT — Office of Learning Technologies
OPS — Ontario Public Service
OSCE — Organization for Security and Co-operation in Europe
PARE — Physical Abilities Requirement Evaluation
PLEIS — Public Legal Education and Information Service (New Brunswick)
PRF — Policy Research Fund
PSAC — Public Service Alliance of Canada
RCMP — Royal Canadian Mounted Police
RCP — Reproductive Care Program (Nova Scotia)
RDA — Regional Development Authority
RHA — Regional Health Authority (Alberta)
RNs — Registered Nurses
SEP — Shelter Enhancement Program
SIN — Social Insurance Number
SME — small- and medium-sized enterprises
SMIP — Special Measures Initiatives Program
SPA — Spouses Allowance
STD — sexually transmitted disease
SWC — Status of Women Canada

UNHCR	—	United Nations High Commissioner for Refugees
VRDP	—	Vocational Rehabilitation of Disabled Persons (Nova Scotia)
WCB	—	Workers' Compensation Board
WGIP	—	Working Group on Indigenous Populations (United Nations)
WHO	—	World Health Organization
WIPO	—	World Intellectual Property Organization
WITT	—	Women in Trades, Technology, Operations and Blue Collar Work
WRED	—	Women and Rural Economic Development (Ontario)
YIIP	—	Youth International Internship Program

Introduction

1. Canada ratified the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) on December 10, 1981, and submitted its initial report in June 1983, its second report in January 1988, its third report in September 1992 and its fourth report in September 1995. This is the fifth report submitted by Canada under the Convention. The main period covered is from March 31, 1994 to March 31, 1998 (with occasional references to developments of special interest that have occurred since.)

2. Canada is a federal state of 10 provinces (Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland and Labrador, Nova Scotia, Ontario, Prince Edward Island, Québec and Saskatchewan), and three territories (the Northwest Territories, Yukon and Nunavut, this last territory having come into existence on April 1, 1999). While the ratification of international treaties is the prerogative of the Government of Canada, their implementation requires the active participation of the governments with jurisdiction over the subject matters covered. Under Canada's constitutional division of powers, jurisdiction over some areas affecting women's lives falls jointly to federal and provincial/territorial governments. In other cases, aspects fall solely under provincial/territorial jurisdiction, such as the provision of social services. Strictly federal responsibility includes such areas as criminal law. Therefore, efforts to advance women's equality require a commitment and partnerships among all levels of government.

3. Information about Canada's political and legal structure is presented in the *Core Document Forming Part of the Reports of States Parties: Canada*, submitted by Canada to the United Nations in 1997, which forms part of Canada's periodic reports under international human rights treaties (to the United Nations).

4. Additional information regarding the situation of women in Canada can be found in Canada's response to the UN Questionnaire on Implementation of the Beijing Platform for Action.

5. This fifth periodic report is composed of four parts. Part I contains an introductory overview of the situation of women in Canada. Part II contains a review of measures relevant to CEDAW adopted by the federal government. Part III contains a review of measures adopted by the provincial governments, as prepared by these governments. Part IV contains a review of measures adopted by the territorial governments, as prepared by these governments. The report follows, as much as possible, the guidelines issued by the Committee on the Elimination of Discrimination Against Women. The concluding comments adopted by the Committee have also been taken into consideration, as has paragraph 323 of the Beijing Declaration and Platform for Action which invites state parties to include information on measures taken to implement the Platform for Action in their reports to the Committee.

PART I

Overview

6. In 2000, Canadians will mark the 30th anniversary of the groundbreaking *Report of the Royal Commission on the Status of Women* and the 15th anniversary of the coming into force of s. 15 of the *Canadian Charter of Rights and Freedoms*, which formally entrenched women's equality within the Canadian Constitution.

7. Over the 30-year period since the Royal Commission on the Status of Women, Canada has made significant progress in the advancement of the status of women. The efforts of individuals, governments and non-governmental organizations (NGOs) have enabled Canada to reap many social and economic rewards, which benefit all Canadians. Women and women's organizations, in particular, have been instrumental in this progress.

8. Canadian legislation, policies and programs are subject to the *Canadian Charter of Rights and Freedoms*. Sections 15 and 28 of the Charter provide constitutional protection for gender equality. Section 15 prohibits discrimination based on race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability, or analogous groups, which has been interpreted to include sexual orientation. Section 28 provides: "Notwithstanding anything in this Charter, the rights and freedoms referred to it are guaranteed equally to male and female persons." The Charter generally governs the relationships between governments (federal, provincial and municipal) and individuals rather than between individuals. Federal and provincial human rights codes extend similar prohibitions against discrimination to the private sector.

9. Canada is committed to advancing gender equality and women's human rights through our domestic and international activities. Canada's promotion of gender equality is based on a belief that equal rights for women are an essential component of progress on human rights and democratic development, and sustainable development will only be achieved if women are able to participate as equal decision makers in, and beneficiaries of, that development.

10. Canada, along with all United Nations member states, was called upon to formulate a national plan to advance the situation of women, both within its own borders and globally. *The Federal Plan for Gender Equality*, presented in 1995 at the Fourth United Nations World Conference on Women in Beijing, is Canada's response to that request. The Federal Plan is both a statement of commitments and a framework for the future, representing a collaborative initiative of 24 federal departments and agencies, led by Status of Women Canada.

11. The Federal Plan has eight objectives:

- to implement gender-based analysis throughout federal departments and agencies

- to improve women's economic autonomy and well-being

- to improve women's physical and psychological well-being
- to reduce violence in society, particularly violence against women and children
- to promote gender equality in all aspects of Canada's cultural life
- to incorporate women's perspectives in governance
- to promote and support global gender equality
- to advance gender equality for employees of federal departments and agencies

12. Many of the specific measures taken by Canada toward the fulfilment of these objectives are discussed in more detail in Part II of this report. Highlights include the following:

- Guides and symposiums have been prepared on gender-based analysis by several federal departments. Research and information have improved through the inclusion of questions on unpaid work in the 1996 Census.
- A federal–provincial/territorial initiative worked toward the development of gender-sensitive indicators. In 1997, the ministers responsible for the status of women published *Economic Gender Equality Indicators*.
- The federal government's *Gathering Strength: Canada's Aboriginal Action Plan* responds to the final report of the Royal Commission on Aboriginal Peoples and includes many initiatives with an impact on Aboriginal women.
- Sexual orientation has been added as a prohibited ground of discrimination under the *Canadian Human Rights Act*. This law is applied to employment in the provision of goods and services by the federal government and federally regulated businesses, such as banks and airlines.
- There is a continued commitment to reduce family violence through ongoing funding for the third phase of the Family Violence Initiative.
- The $4.3 million Shelter Enhancement Program (SEP) resulted in the upgrading of existing shelters for abused women to acceptable standards and addresses the needs of children, older clients and persons with disabilities. Since 1995, 3,000 shelter units have been enhanced under this program.
- Criminal justice initiatives include restrictions to the ownership and use of firearms, limits to the defence of self-induced intoxication, more effective peace

bonds, the provision of longer sentences for hate crimes and the prohibition of the practice of female genital mutilation (FGM).

- There have been improvements in the living conditions of federally sentenced women.
- The federal *Employment Equity Act* has been strengthened.
- The Canadian Opportunities Strategy increases accessibility to post-secondary education for persons with dependants and those with disabilities.
- A care giver credit, introduced in the 1998 budget, partially recognizes unremunerated work, most of which is performed by women.
- The new National Child Benefit (NCB) system was implemented on July 1, 1998 as a collaborative effort by federal and provincial/territorial governments. About half of the beneficiaries are lone-parent families headed by women.
- The $6 billion Canada Child Tax Benefit (CCTB) was introduced in 1997 and subsequently augmented.
- The Centres of Excellence for Women's Health Program was established in 1996.
- There have been key reforms to the child support system.

13. There continues to be a distinct gender division of labour in Canada. For much of this century, men's work was concentrated in the paid market economy, while women's work consisted largely of the unpaid activities related to managing the household and caring for children and family members.

14. Since the 1950s, female participation in the paid labour force has more than doubled. Women now comprise close to half (46 percent) of all paid workers in Canada. Men's labour force participation, on the other hand, has experienced a small but steady decline, mostly due to earlier retirement. Nonetheless, men are still somewhat more likely than women to be paid labour force participants, and spend more total time working for pay.

15. In the past, relatively few women with children worked for pay. In the 1960s, labour force participation was very low for women with children under age 6, and, over her lifetime, a woman could expect to give birth to an average of four children. Today, the fertility rate has fallen below the replacement rate of two children per woman, and women with children account for much of the increase in female labour force participation. More than six out of ten women whose youngest child is of preschool age are employed, and most are working for pay on a full-time basis.

16. With respect to paid work, although considerable advancements have been made in increasing the representation of women in all types of occupations, women still tend to be concentrated in jobs that parallel the kinds of unpaid domestic and caring work they have historically done in the home. In the late 1990s close to 68.5 percent of employed women work in teaching, nursing, clerical, sales and service jobs. Women are also much more likely than men to have non-standard employment (jobs where the employee does not work full time, full year for a single employer). This is especially evident with respect to part-time work (less than 30 hours of paid work per week), with women accounting for 70 percent of the part-time work force. Female-dominated and non-standard jobs are typically low paying, and have fewer benefits, such as pension or drug plans.

17. Virtually all adults in Canada do unpaid work; however, some kinds of unpaid work appear to be more equally shared between men and women than others. For instance, women perform more than 70 percent of meal preparation, cleaning, clothing care, child care and other dependent care. Together, these tasks accounted for more than half of all time spent on unpaid work in 1998. The type of unpaid work largely done by men includes repairs and maintenance. Tasks that are more equally shared between men and women include household management and shopping, transportation and travel. Men are responsible for slightly less than half the time spent on these types of unpaid work.

18. In addition to gender inequalities, experiences of paid and unpaid work also differ among women. For example, several groups of women — including women in a visible minority group, Aboriginal women and women with disabilities — are less likely to participate in paid work than other women in Canada, and when they do they experience higher rates of unemployment. Women with preschool children devote more time to unpaid work than women without children, or those whose children are older. Older women are the most likely to provide unpaid care to elderly relatives.

19. Women in Canada spend about the same amount of time doing work of economic value (paid and unpaid) as men. In 1998, the average total workload was 7.8 hours for both. However, the allocation of time was different, as the amount of time spent at paid work is not offset by a decline in the time spent on unpaid work. For example, women with children who were employed full time spent an average of 10 hours per day working, compared to eight hours per day for women who were not employed who had children. As women's involvement in the paid work force increases, responsibility for housework is more likely to be shared with their partner, although men's contributions do not increase enough to approach parity.

20. Because of the ongoing gender division of labour, it is still women who limit their paid work to care for dependents and other family members. Women are responsible for more than 70 percent of all time spent on helping and caring for children and other family members. Women also spend, on average, more than twice the time that men do on

primary child care. The gender imbalance in households where both spouses have full-time employment is substantial. Furthermore, women with children tend to alter their paid work arrangements to meet demands of unpaid work, while the age or presence of children has little similar impact on men's paid or unpaid work patterns. The struggle to balance paid and unpaid work responsibilities leads to high levels of time stress, especially among employed women with young children. This stress, in turn, takes a toll on women's health. The trend of de-institutionalization in Canada's health care system has placed increased burdens on women as caregivers in the home.

21. In the 1996 Census questions on unpaid work, one in six people (or approximately 17 percent of the population 15 and over) responded that they provided some care to seniors. This was defined to include such activities as providing personal care to a senior family member, visiting seniors, talking with them on the telephone and helping them with shopping, banking or with taking medication. More women than men (19 percent versus 14 percent) reported providing such care. The time spent caring for seniors depended largely on whether an individual had elderly parents or other elderly relatives. The Census data showed that the proportion reporting hours of care to seniors increased as respondents approached middle age, then tapered off. Those aged 45 to 54 had the highest proportion (23 percent) of individuals providing unpaid care to seniors.

22. Although women do more total work than men do, their incomes are lower. Comparing average total income before taxes, women in Canada receive 38 percent less income than men (as of 1997). This gap is related to a number of factors, such as the concentration of women in part-time and non-standard employment, family responsibilities, their over-representation among lone parents and seniors who have few or no earnings, and their under-representation among those with higher education. However, the income gap has closed steadily since 1986, when the figure was 51 percent. Canada's progressive tax system and the redistributive effects of government transfer payments also help to improve the gender balance in income. After taxes, women receive 33 percent less income than men.

23. More women than men live in poverty. Because economic autonomy and well-being are linked to access to income from the paid labour force, women are more likely than men to live with low incomes. Certain groups of women are particularly at risk; almost 49 percent of all elderly women living alone and 56 percent of female lone parents live in poverty. This has direct implications for the well-being of children because those living with lone mothers accounted for 40 percent of all children living in poverty in 1997. Although the rate of low income remains high among the elderly, the situation has improved since the early 1980s when nearly 70 percent of elderly women living alone had low incomes.

24. Fifty-four percent of all people below the Statistics Canada low-income cutoff (LICO) in 1997 were women; 19 percent of the female population, and 24 percent of all women 65 or older, lived below the Statistics Canada LICO that year.

25. In 1995, 37 percent of visible minority women and 43 percent of Aboriginal women not resident on a reserve, or in the territories, lived in a low-income situation. In 1997, the same was true of 56 percent of female lone parents.

26. Many social policy programs allocate benefits using the family as the basic unit of administration. However, there have been significant changes to the organization of family life in Canada over the last few decades. This poses a challenge to policy makers for the development of programs that recognize the universal nature of unpaid work, encourage economic autonomy and gender equality, and are compatible with broad national and social objectives.

27. Family forms are becoming more diverse in Canada, and a growing percentage of people live alone. Many factors have contributed to the diversity of family arrangements. For example, the marriage rate has fallen and marriage is being delayed. At the same time, the divorce rate has risen dramatically since the late 1960s, largely as a result of legislation in 1968 easing divorce restrictions. Trends in divorce, as well as an increase in births outside of a conjugal relationship, have also contributed to the growth in the number of lone-parent families. In 1996, families headed by one parent (over 80 percent of whom are women) account for nearly one in six families in Canada, up from one in ten in 1981.

28. The changing attitude of Canadians toward marital unions is also reflected in the increased popularity of common-law relationships. Over the last 15 years, the share of common-law families doubled from 6 percent to 12 percent. And there is increasing recognition of same-sex relationships. Successful challenges under the equality provisions of the *Canadian Charter of Rights and Freedoms* have led to an increasing acknowledgment of same-sex couple families. This has led Canadian governments and employers to review policies regarding family status and eligibility for qualifying for social and employee benefits.

29. As a result of women's increased participation in paid work. dual-earner families have become the norm in Canada. Both partners work for pay in 61 percent of two-partner families. In half of dual-earner families, both partners work full time. The percentage of dual-earner families has been relatively stable in the 1990s, following two decades of growth. However, the proportion of families where neither partner had earnings has increased gradually, reflecting the aging of the population and the trend toward earlier retirement from paid work. For an increasing number of families, women have become the sole earners. This has contributed to the increasing income gap between dual-earner and single-earner families because women tend to earn less than men in the paid labour force.

30. The majority of Canadian children live in two-parent families where both parents are employed in the labour force. In 1996, there were 4.8 million children under the age of 15

living in two-parent families. Both parents were working in the case of 60 percent of these children, up from 43 percent in 1981 and 58 percent in 1991.

31. The 1996 Census showed that trends for preschool children under the age of 6 were similar to those for all children under the age of 15. The proportion of preschoolers whose parents were both working for pay has also increased during the last 15 years. In 1996, both parents were working in the case of 56 percent of these preschool children, compared with 38 percent in 1981 and 52 percent in 1991. The proportion of preschool children living in a female lone-parent family in which the mother was working for pay has declined slightly during the last 15 years. In 1996, the single mother was employed in the case of 38 percent of these children, compared with 41 percent in 1981.

32. The 1996 Census also showed that only 35 percent of female lone parents had completed a post-secondary certificate or degree, compared to about 53 percent of women with partners.

33. At the same time, the number of two-parent families with one partner staying at home to manage the household and care for the children has decreased dramatically since 1976. As a result, less than one in five families with children under the age of 16 had a stay-at-home parent in 1997, compared with half of families in 1976. The proportion of families where fathers are at home to care for children has remained close to one percent.

34. Education is key to women's equality. It has a profound impact on women's access to employment and on women's economic independence. The changing nature of employment in Canada and elsewhere requires Canadians to be prepared to make several career changes during their adult lives. As well, the emergence of the knowledge-based economy and society in Canada has made women's access to education and training even more imperative as technical and scientific fields become the key elements for growth. However, women receive less employer-sponsored training. Women's and men's job-related training participation rates are similar, but women receive fewer hours of training.

35. In general, access to higher education has increased. For example, in 1996, 12 percent of women aged 15 and over, and 14 percent of men, were university graduates, as compared to 1971 when 3 percent of women and 7 percent of men had a university degree. The gap continues to close, as women currently make up a slight majority of students in Canadian universities. As of 1998, more women graduated from post-secondary institutions than men did.

36. In 1997-98, women accounted for about 29 percent of university students in mathematics and sciences and for 22 percent of students in engineering and applied sciences — key growth areas in the knowledge-based economy and society. Women are still under-represented in enrolment in doctoral programs and on college and university faculties.

Rates of higher educational attainment by Aboriginal women continue to lag behind those of non-Aboriginal women.

37. Although women in Canada have a longer life expectancy than men (by six years), isolation, illness or disability may mark those additional years. Cardiovascular disease is the major cause of death among women in Canada. And, while breast cancer is the most frequently diagnosed cancer among women, lung cancer is the leading cause of cancer death for women.

38. In Canada, women have made advances in numbers and influence in political, economic and social decision making over the last decade. At the same time, they continue to be under-represented in decision-making positions. For example, after the federal election in 1997, Canada's House of Commons had the largest number of women representatives ever elected in Canadian history, with 20 percent of its members being women. By comparison, in provincial legislatures 18.4 percent of members are women.

39. The Statistics Canada 1993 Violence Against Women Survey showed that 51 percent of all Canadian women had experienced at least one incident of physical or sexual violence since age 16. Twenty-nine percent of women who had ever been married or lived in common-law relationships had been physically or sexually assaulted by their partner at some point during the relationship. Children witnessed violence against their mothers in four out of ten marriages where violence was reported.

40. The rates of both sexual and non-sexual assaults against women reported to police have increased since the passage of criminal law reforms in 1983. When measured 10 years later, sexual assault reports had increased by 152 percent and physical assaults by 62 percent.

41. According to a homicide survey conducted by Statistics Canada in 1996, married women are seven times more likely to be killed by a spouse than by a stranger.

42. To continue to undertake effective efforts to address violence against women, root causes — such as the social context of power imbalances and ongoing systemic attitudes and values — should be explicitly named along with the vulnerability to violence that is experienced differently by the various communities and age groups of women. These include Aboriginal women, immigrant women, visible minority women, refugee women, women with disabilities, live-in domestic workers, women from linguistic minorities, senior women and young women. In fact, the 1993 Violence Against Women Survey found that the rate of victimization of young women in the months prior to the study was almost three times higher among 18- to 24-year-olds (27 percent), than for women in general (10 percent).

43. There is not yet a clear picture of whether violence against women has decreased or increased in Canada. Reports from a sample of 61 police agencies across Canada indicate that between 1993 and 1996 the number of reported cases of spousal assault dropped by seven percent. These statistics look promising. However, a large number of cases are still not reported to the police. Of those women who reported being victims of spousal violence in the Violence Against Women Survey, only 26 percent had reported an incident of violence to police.

44. Statistics Canada also publishes an annual statistical review of family violence, *Family Violence in Canada: A Statistical Profile* (available at http://www.statcan.ca). In 2000, Statistics Canada will release the results of its General Social Survey — Victimization Cycle, which will provide trend information on violence against women and baseline information on the experience of violence in the general population, particularly among older adults.

45. Statistics Canada released *Women and Men in Canada: A Statistical Glance*. Produced for Status of Women Canada, the report provides a snapshot of gender equality in Canada using data from 1997.

46. A more comprehensive overview of the status of Canadian women will be available with the publication of the fourth edition of *Women in Canada — A Statistical Report* to be completed and published by Statistics Canada in 2000.

PART II

Measures Adopted by the Government of Canada

Article 2: Anti-Discrimination Measures

47. In 1982, the *Canadian Charter of Rights and Freedoms* was enacted. The Charter, also known as the *Constitution Act, 1982*, provides constitutional protection of individual rights. According to s. 1, it guarantees the rights and freedoms set out therein "subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society." As a result, any law, regulation or act, of any level of government in Canada, or any government agency, as well as all court decisions, must conform to the Charter within the meaning of s. 1. The Charter applies to relationships between an individual and government, rather than between individuals which are covered by provincial bills of rights.

48. Section 15 of the Charter ensures equal protection and equal benefit of the law for all Canadians without discrimination, and s. 28 guarantees that all the rights covered in the Charter apply equally to men and women. The *Canadian Human Rights Act* (CHRA), passed in 1977, prohibits discrimination in employment and services within federal jurisdiction. The Act provides a list of prohibited grounds of discrimination, which was expanded last year to include sexual orientation. The CHRA creates the Canadian Human Rights Commission (CHRC), which investigates, settles and prosecutes complaints of discrimination. It also creates the Canadian Human Rights Tribunal, which hears and adjudicates complaints. Amendments to the CHRA in 1998 made the Tribunal a permanent court-like body.

49. The Court Challenges Program, originally established in 1985 through the former Department of the Secretary of State, was introduced to fund private cases involving challenges to federal policies, laws or practices pertaining to equality rights protected by ss. 15 and 28 of the Charter. The Program was discontinued in 1992. However, following widespread public demand, it was reinstated in October 1994. The current Program provides funding to selected challenges to federal law, policy or practices, with the exception of complaints under the *Canadian Human Rights Act*.

50. In addition to the legal instruments to combat discrimination, a number of other agencies promote anti-discrimination measures at the provincial, territorial and federal levels. For example, the Law Commission of Canada, which was established on July 1, 1997 under the *Law Commission of Canada Act*, is mandated to engage Canadians in the renewal of the law to ensure that it is relevant, responsive, effective, equally just and accessible to all. The Commission is an independent agency of the federal government. It was established to provide the government with independent, broadly based advice on legal policy issues. Commission projects include historical child abuse in public institutions, adult relationships of dependence and interdependence, relationships involving older adults, transformative justice, workplace relationships in transition, the role of legislation and the governance of research on human subjects.

no abuse of the system in empaneling an all-female jury. Moreover, there was no evidence that an all-female jury could not act impartially in judging the case before them. To find otherwise would be applying impermissible stereotypical assumptions. Of particular interest is McLachlin J.'s statement: "I see no reason to suppose that an all-woman jury cannot be as impartial as all-male juries have been presumed to be for centuries."

62. In *R. v. Daviault*, [1994] 3 S.C.R. 63, the Court held that it was unconstitutional to not allow the defence of voluntary drunkenness to a general intent offence. In *Daviault*, the accused had sexually assaulted a 65-year-old disabled woman but was acquitted at trial because there was a reasonable doubt as to whether he had the minimal intent required to commit the offence because of his extreme intoxication. This decision resulted in considerable criticism from women's groups and others. In response, the federal government amended the *Criminal Code* to specify that the defence of self-induced intoxication will not be available for particular offences (including assault) where the accused departs markedly from the standard of care generally recognized in Canadian society.

63. In *R. v. Park*, [1995] 2 S.C.R. 836, the Supreme Court of Canada restored a sexual assault conviction. In this case, the appellant had put forward the defence that no sexual intercourse had occurred or, in the alternative, that he mistakenly believed the victim had consented to sexual intercourse. In her reasons, L'Heureux-Dubé J. expounded on the issue of consent in sexual assault trials. She expressed the view that in order to combat the stereotype regarding consent held by men, the focus must shift from whether there were words or actions consistent with no consent, to what actions or words communicated by the complainant grounded the accused's honest but mistaken belief in consent. This case arose prior to the *Criminal Code* section that stipulates the meaning of "consent" for sexual assault offences. These provisions generally require that an accused must take reasonable and definitive steps to ensure that the complainant consents to engaging in sexual activity.

64. A majority of the Supreme Court of Canada in *R. v. O'Connor*. [1995] 4 S.C.R. 411, reaffirmed that the Crown had a duty to disclose all relevant records in its possession to the defence, including the victim's therapeutic records (in this case, sexual assault counselling records). With respect to records in the hands of a third party (as compared to the state), the Court in *O'Connor* established a procedure for the production of such records. A minority of the judges were of the view that, in determining whether private records in the hands of a third party should be disclosed to the defence, the accused's right to make full answer and defence should be balanced against the victim's right to privacy and the right to equality without discrimination. Subsequent to this decision, the *Criminal Code* was amended to codify a specific procedure for the disclosure of private records in the possession of the Crown or a third party to defence counsel where the accused has been charged with a sexual offence. The purpose of the procedure is to protect the privacy and equality rights of victims of sexual offences while, at the same time, preserving the

accused's right to a fair trial. The Supreme Court of Canada recently upheld the latter amendments as constitutional.

Article 2(d): Public Authorities and Institutions

65. *Setting the Stage for the Next Century: The Federal Plan for Gender Equality* was released in Canada on August 11, 1995, and tabled at the Fourth United Nations World Conference on Women in Beijing. The Federal Plan represents a collaborative initiative of 24 federal departments and agencies, led by Status of Women Canada (SWC), and is Canada's framework and blueprint for implementing the Beijing Platform for Action.

66. The Federal Plan's most strategic measure is a policy requiring federal departments and agencies to conduct gender-based analysis (GBA) of future policies and legislation. GBA is a key methodology for mainstreaming a gender perspective. It is being developed to ensure that federal policies have intended and equitable results for both women and men, and will assist the federal government in respecting the equality provisions of the *Canadian Charter of Rights and Freedoms* and international obligations.

67. SWC has been leading this analysis process, collaborating with other governments, as well as federal departments and agencies, in its staged implementation over a five-year period. SWC has developed and provided other departments with a series of tools and supports to assist them in implementing gender-based analysis. Notable among these is the publication *Gender-Based Analysis: A Guide for Policy-Making*, released in March 1996, as well as a series of presentations to departments and agencies initiated in the fall of 1996.

68. Although the implementation of GBA in public policy is still in its infancy, Canada has made some significant efforts. Examples of some key achievements in this area include:

- developing tools and methodologies to carry out GBA, including a guide and brochure for policy makers
- holding information sessions on GBA for managers and officials
- stimulating GBA discussion through dialogue, roundtables, workshops, symposiums and conferences with governments, women's organizations and other non-governmental actors
- contributing to the development of statistics and indicators to support GBA, such as the *Economic Gender Equality Indicators, Finding Data on Women: A Guide to the Major Sources at Statistics Canada*, and the *Guide to Gender-Sensitive Indicators* with its accompanying handbook

- developing gender-based research in the Government of Canada and with counterparts in other governments and international organizations

69. Several departments and agencies within the federal government have undertaken specific activities to advance gender-based analysis of the policies and programs within their mandates. This includes the production of customized training materials to meet their own particular needs. Some examples follow.

70. In 1996, the Department of Justice established the three-year Gender Equality Initiative headed by a Senior Advisor on Gender Equality, with a mandate to implement gender-equality analysis in all departmental activities. The following year, the Department adopted the Policy on Gender Equality Analysis. Subsequently, a report entitled *Diversity and Justice: Gender Perspectives, A Guide to Gender Equality Analysis* was developed and published. The Department also created an internal network of gender equality specialists in each sector to act as resources to colleagues in the development of policies, programs, legislation, legal opinions and research. Finally, in 1998, the Department of Justice began providing training on gender equality analysis to lawyers throughout the Department, including regional offices across the country.

71. Human Resources Development Canada (HRDC) has developed the *Gender-Based Analysis Backgrounder* and *Guide*, customized for the Department's needs and activities. The Deputy Minister has also issued a memo to executives encouraging the use of GBA as part of effective policy and program development within HRDC.

72. Health Canada's Women's Health Strategy includes a commitment to implement a gender-based analysis of the Department's research, policies and programs. Tools, methods and training materials appropriate to the health sector are being developed that will assist in implementing gender-impact assessments. Workshops are being held and women's health networks are being created in the line branches of the Department. The Women's Health Bureau is also using the Commonwealth framework to develop a Gender Management System for the health sector. In addition, as chair of the Commonwealth Working Group on Gender Equality and Health Indicators, the Women's Health Bureau has begun work on developing a conceptual framework for a system of gender equality and health indicators.

73. The Gender Equality Division within the Canadian International Development Agency (CIDA) is responsible for articulating the Agency's policy and good practices in gender equality. The Division's activities include:

- development of mechanisms to mainstream gender perspectives into CIDA's management, planning and performance assessment systems
- contributions to the Agency knowledge base on gender equality

- participation in conferences and international policy dialogue on gender equality

- management of information on gender equality issues, particularly lessons drawn from gender equality policy implementation in developing countries

74. Gender analysis and gender equality results are to be incorporated into all of CIDA's international cooperation initiatives, although application will vary among branches, programs and projects.

75. CIDA has underlined the importance of integrating gender considerations in all of its policies, programs and projects. Its Policy on Poverty Reduction and its Health Strategy (both released in 1996) and the 1997 Policy on Basic Human Needs, all recognize the need to address gender equality. At the program and project level, guidelines to promote the systematic application of GBA and a handbook on gender-sensitive indicators has been developed and widely distributed. In 1998, CIDA began a series of extensive consultations — including a virtual one with partners in Canada and around the world — to revise its policy on gender equality. Based on these consultations, an updated policy has been developed with a strong gender-mainstreaming, rights- and results-based approach to better serve policy makers and people in the field.

76. The Departmental Coordinator on International Women's Equality at the Department of Foreign Affairs and International Trade (DFAIT) is situated within the Human Rights, Humanitarian Affairs and International Women's Equality Division. The Coordinator heads up the International Women's Equality section which functions as the focal point on gender within the Department to promote gender equality and the human rights of women, including integrating gender perspectives into foreign policy development and operations.

77. The Department of Indian Affairs and Northern Development (DIAND) has developed its policy on gender equality analysis (GEA). It requires that GEA be used in the legislative, policy and program development processes, and that it be integrated into all of the Department's work, including:

- the development and implementation of policies, programs, communications plans, regulations, legislation, consultations and negotiations (including, but not limited to, self-government agreements, claims, treaty land entitlement, fiscal framework and devolution)

- instructions and strategies on research, contracting, dispute resolution and litigation (This policy has been developed in consultation with the Department's Advisory Committee on Gender Equality and with other government departments. The *Guide to Gender Equality Analysis*, which explains how to apply GEA in the day-to-day work setting, has been developed and will be distributed within the Department.)

Gender-Based Policy Research

78. New and significant initiatives in the area of gender-based research have also been developed to support gender-based analysis. For instance, Status of Women Canada (SWC) launched its Policy Research Fund following input from extensive national consultations held between March and May 1996. The primary objective of the fund is to support forward-thinking, independent, nationally relevant policy research on gender equality issues. The Policy Research Fund supports research which identifies policy gaps, trends and emerging issues, and provides concrete recommendations and alternative solutions to policies and programs affecting women. A small, non-governmental external committee, nominated by constituents, plays a key role in identifying priorities and research themes, choosing research proposals to be funded and exercising quality control over the final research products. Policy research themes explored to date include women's access to justice, women's paid and unpaid work, women's vulnerability to poverty, and the integration of women's diversity into policy research, development and analysis. Once the research is complete, it is available free of charge to the public and is also available on the SWC website http://www.swc-cfc.gc.ca

79. Other examples of research initiatives within the federal government which include a gender perspective are the Metropolis Initiative and the Policy Research Initiative.

80. A consortium of federal departments and agencies provides core funding for the Metropolis Initiative. It examines immigrant integration and the effects of international migration on urban centres. A gender perspective is to be factored into all the research being undertaken, with applicability to policy development.

81. The mandate of the Policy Research Initiative, launched in July 1996, is to build a solid foundation of horizontal research on which future public policy decisions can be based. The Initiative brings together over 30 federal departments and agencies, including SWC, which plays an active role in ensuring that a gender perspective is incorporated into all research activities.

Article 2(f): Legislative Changes

82. In 1996, the *Canadian Human Rights Act* was amended to include sexual orientation as a prohibited ground of discrimination.

83. In 1998, the Government of Canada passed amendments to enhance the overall protective provisions of the *Canadian Human Rights Act.* These amendments included the addition of an express duty on employers and service providers to accommodate (up to the point of undue hardship) the needs of persons protected by the law, the establishment of a permanent human rights tribunal and improvements to the remedies provided by the Act.

Article 2(g): Penal Provisions

84. Actions were undertaken between 1994 and 1998 to vitalize ss. 81 and 84 of the *Corrections and Conditional Release Act* (promulgated in 1992). The two provisions read:

> s. 81. "The Minister, or a person authorized by the Minister, may enter into an agreement with an Aboriginal community for the provision of correctional services to Aboriginal offenders and for payment by the Minister, or by a person authorized by the Minister, in respect of the provision of those services.
>
> s. 84 "Where an inmate who is applying for parole has expressed an interest in being released to an Aboriginal community, the Service shall, if the inmate consents, give the Aboriginal community
>
> "*(a)* adequate notice of the inmate's parole application; and
> "*(b)* an opportunity to propose a plan for the inmate's release to, and integration into, the Aboriginal community."

Sections 81 and 84 are intended to increase the reintegration potential of Aboriginal women offenders through community support.

International Activities

85. Since the Fourth World Conference on Women in 1995, Canada has continued to advocate for the integration of a gender perspective in the work of international forums. This includes multilateral organizations, such as the United Nations, the Organisation for Economic Co-operation and Development (OECD), the Commonwealth, La Francophonie, and the Organization of American States (OAS).

86. Canada consistently stresses the importance of the full realization of the human rights of women in its relations with other countries, and at international and world conferences, including the International Conference on Population and Development and the Fourth UN World Conference on Women. For example, Canada took a lead role in ensuring that the 1996 Habitat II conference document, *Habitat Agenda and Global Plan of Action*, acknowledged the empowerment of women and their full and equal participation in political, social and economic life as essential to achieving sustainable human settlements.

87. Canada's international efforts with regard to gender equality include promoting and supporting the work of international organizations to integrate gender considerations — for example, the UN Economic and Social Council adoption of agreed conclusions on gender mainstreaming. Further mainstreaming efforts are under way at the Commonwealth, the OAS, the Organization for Security and Co-operation in Europe (OSCE), and the organization for Asia-Pacific Economic Cooperation (APEC).

88. Canada strongly supported the adoption of an effective Optional Protocol to the CEDAW creating both an individual complaints mechanism and an inquiry procedure. Canada was among those countries which originally proposed language in the Vienna Declaration and Program of Action (adopted at the 1993 World Conference on Human Rights) calling for an Optional Protocol to CEDAW. This was adopted and subsequently reaffirmed in the Beijing Platform for Action.

89. Canada supports the strengthening of the Committee on the Elimination of Discrimination Against Women which oversees CEDAW's implementation. In order to address the lack of meeting time available to the Committee — the shortest of any of the six human rights treaty monitoring bodies — an amendment to Article 20(1) has been officially accepted by Canada.

Article 3: Measures to Ensure the Advancement of Women

Reducing Violence Against Women

90. One of Canada's key objectives in its *Federal Plan for Gender Equality* is "reducing violence in society, particularly violence against women and children."

91. In 1997, the federal government confirmed its commitment to reduce family violence in Canada, particularly violence against women and their children, through the third phase of the Family Violence Initiative. Under the Initiative, federal departments collaborate to prevent family violence by integrating preventive measures in policy and programming. Ongoing additional funding supports research, knowledge dissemination through the National Clearinghouse on Family Violence and costs related to coordination. The key results anticipated from this horizontal approach are effective, efficient, coordinated federal policy development and programming, enhanced prevention of and improved response to family violence, development and implementation of community activities, increased public awareness and reduced tolerance of family violence in society. The 13 federal departments that currently collaborate in this strategy address housing, international development, immigration, corrections, culture, justice, employee assistance, health, social policy, Aboriginal peoples, law enforcement, national data collection and gender equality.

92. The federal intervention model depends on partnership with provincial, territorial and municipal governments, non-governmental organizations, academic institutions, professional associations, corporations and individuals to develop, implement and evaluate programming for effectiveness.

93. Under the present Family Violence Initiative, a number of important activities have been undertaken. For example, a policy focus group on violence against women was held to share information and identify priorities in areas such as public awareness, prevention, intervention and research, and an expert group on the cost of violence was also convened. Research was carried out on the issue of homelessness and family violence, and two projects are under way to review the impact of conditional sentencing in cases of family violence, and to examine the effectiveness of model family violence treatment programs for offenders.

94. A five-year report summarizing and evaluating the achievements of the current phase of the Family Violence Initiative will be prepared in 2002 for the Treasury Board Secretariat.

95. The Family Violence Initiative supports many activities intended to reduce violence against women. In 1997-98, federal government funding specific to family violence amounted to $30.7 million. This figure includes direct allocations for shelter enhancements, family violence treatment for federal offenders and transfers to First Nations shelters and family violence prevention projects on reserves. It also includes an additional annual allocation of $7 million which departments share to address identified gaps, operate the National Clearinghouse on Family Violence and coordinate the Family Violence Initiative. It does not reflect expenditures to carry out the regular work of departments. For example, ongoing policing provided by the Royal Canadian Mounted Police (RCMP), prevention programming provided to inmates by Correctional Services of Canada and housing initiatives provided by Canada Mortgage and Housing Corporation (CMHC) all incorporate elements intended to prevent family violence.

96. Other Canadian initiatives place priority on issues related to the safety, health and well-being of women, and help address violence against women, although they are not specifically directed to the prevention of family violence.

97. The National Longitudinal Survey of Children and Youth is a long-term study being conducted by Human Resources Development Canada and Statistics Canada. It examines a variety of factors thought to influence child growth and development. The study began in 1994, with data being collected at two-year intervals as the child grows from a newborn to an adult. The survey consists of a parent and child questionnaire given at home, as well as a teacher and principal questionnaire given at school. Some questions relate to child maltreatment, for example, traumatic events such as abuse, conflict between parents and parents' use of physical punishment. Based on the research, recommendations for governments, communities and individuals will be used to enhance child development.

98. The government's commitment to diversity and human rights demands that all Canadians have a right to dignity and respectful treatment, regardless of ethnic, racial, religious, gender or other differences. The Multiculturalism Program is working in partnership with

other federal departments such as Justice, the Solicitor General and Industry Canada, to develop a coordinated strategy to combat hate crime and bias activity.

99. The National Strategy for Community Safety and Crime Prevention promotes the integrated action of key governmental and non-governmental partners to reduce crime and victimization, and to assist communities in developing and implementing community-based solutions to problems that contribute to crime and victimization, particularly violence against youth, women and Aboriginal people. Its aim is also to increase public awareness and support effective approaches to crime prevention. Launched in 1994, Phase I consisted primarily of coordinating a range of federal initiatives that emphasized a proactive and social development model of crime prevention. It also emphasized building federal, provincial/territorial and community partnerships. Phase II, announced in 1998, enables the federal government to broaden its partnerships and support communities in designing and implementing innovative and sustainable ways of preventing crime.

100. Addressing violence in First Nations and Inuit communities is also a priority for the federal government. Federal support is provided to community-based services to help in the prevention, intervention and treatment of violence against women, and for research evaluation and professional training that increase recognition of abuse and explore healing models.

Criminal Justice Measures

101. Violence against women, including physical and sexual assault, is considered a crime under the *Criminal Code*. The Department of Justice participates in the Family Violence Initiative and, as part of its responsive policy and programming, has amended the *Criminal Code* through several measures to provide enhanced protection to women and children from violence and sexual abuse.

102. Bill C-42 (omnibus amendments) included over 100 amendments to the *Criminal Code*. These amendments, proclaimed in 1995, included making peace bonds (protective court orders) easier to obtain and more effective, and increased the maximum penalty for a breach from six months to two years. They also included the reclassification of certain offences (known as dual procedure or hybrid offences). This allows the Crown prosecutor to choose to proceed summarily or by way of indictment. Proceeding by way of summary conviction is sometimes preferred in cases involving violence against women because it can avoid having the victim testify twice.

103. Bill C-72 (self-induced intoxication) clarified the criminal law to indicate that intoxication is not a defence to any general intent crimes of violence such as sexual assault and assault. It came into effect in 1995.

104. Bill C-41 (sentencing) included amendments to the sentencing provisions of the *Criminal Code*. These amendments, proclaimed in 1995, provide that where an offender, in committing the offence, abuses his spouse or child or a position of trust or authority, this shall be considered an aggravating factor for sentencing purposes. The restitution provisions were also amended to entitle a victim to seek restitution for actual and reasonable expenses for moving out of the offender's home to avoid bodily harm.

105. Bill C-27 (child prostitution, child sex tourism, criminal harassment and female genital mutilation (FGM)) included provisions to facilitate the testimony of young victims and witnesses of sexual exploitation. In addition, the legislation, proclaimed in 1997, allows for the prosecution of Canadians who travel abroad and sexually exploit children, strengthens penalties against those who exploit juvenile prostitutes and those who kill the victims they have stalked, and clarifies that the practice of FGM is an offence.

106. Bill C-46 (production of records in sexual offence proceedings) protects sexual offence victims by restricting the production of personal information records, such as psychiatric, therapeutic and counselling records. The legislation was proclaimed in 1997.

107. In 1996, the federal government introduced the *Firearms Control Act*. Key elements include licensing possession of firearms, a national registration system for all firearms and a mandatory minimum sentence in four years of prison, and a lifetime prohibition against the possession of a restricted or prohibited firearm on conviction of specific violent offences, including sexual assault with a weapon and aggravated sexual assault. These measures, intended to ensure greater community safety, will have an impact on women's safety. Registration of firearms will enhance women's safety by alerting police to the presence of firearms in scenes of family violence. In dealing with applications for firearms acquisition certificates, risk factors associated with incidents of family violence must be considered, and applications require spousal consent.

108. *Criminal Code* provisions relating to the defence of provocation, self-defence and defence of property are under review as a result of concerns expressed by a judicial inquiry and some women's groups that these provisions are not applied in a gender-sensitive manner.

109. The federal government is also reviewing an ad hoc process that has been in existence since 1992 to respond to requests from victims trying to change their identity to escape life-threatening spousal abuse. Through this process, victims are provided with a new, de-linked (i.e., no computer links) Social Insurance Number (SIN). Canada Pension Plan (CPP), tax and social benefit records are also securely re-created under the new SIN. Because of concerns about client safety, the federal government has initiated an interdepartmental project to complete in-depth work with the provinces and territories to determine whether a nationally coordinated New Identities Program can be implemented. This initiative seeks to support victims' services strategies by addressing the concerns of

victims of extreme family violence in relation to safety, restitution and the prevention of further violence.

110. Other justice system initiatives include seeking to improve the criminal justice system by making it more accessible to vulnerable groups, including Aboriginal women and women with disabilities.

111. The province of Saskatchewan adopted the first *Victims of Domestic Violence Act* in Canada in February 1995. This civil legislation is designed to provide an alternative, non-criminal response to victims of family violence. The provisions include emergency intervention orders which may provide for exclusive victim occupation of the home, and restrain the abuser from communicating with or contacting the victim or members of the victim's family. Victims' assistance orders may include monetary compensation from the abuser, and warrants of entry which allow police officers to obtain entry to a home where family violence is suspected. The second phase of an evaluation of the effectiveness of the *Victims of Domestic Violence Act* will be completed in 1999.

112. Other jurisdictions in Canada have enacted similar legislation. Prince Edward Island's *Victims of Family Violence Act* is the first provincial act to include emotional abuse as a form of violence. Manitoba's *The Domestic Violence and Stalking Prevention, Protection and Compensation and Consequential Amendment Act* is the first act to address civil remedies for stalking. Yukon has enacted its *Family Violence Prevention Act* and *Crime Prevention and Victim Services Trust Act*. Alberta's legislation, the *Protection Against Family Violence Act* was introduced in the Legislature during the 1998 spring sitting.

Training and Education in the Criminal Justice System

113. Since January 1997, the Social Context Education Project at the National Judicial Institute has developed and delivered a range of programs examining the social context of judicial decision making for courts across the country. During these programs, judges have examined issues such as equality, impartiality, judicial independence and the process of decision making, as well as considering the needs of women and disadvantaged communities, such as Aboriginal peoples and racial minorities. The programs are available to both federally and provincially appointed judges.

114. As part of the Family Violence Initiative, the federal government provides training on family violence within its jurisdiction in the justice sector. The RCMP, Correctional Service of Canada personnel and members of the National Parole Board all receive such training.

115. As part of the Family Violence Initiative, in March 1998, the Department of Justice Canada hosted the Federal-Provincial-Territorial Forum on Spousal Abuse Cases, to

discuss and exchange best practices by police, Crown prosecutors, victims' services and policy experts relating to spousal abuse cases.

116. The First Nations Family Violence Course was developed by the Canadian Police College in collaboration with the First Nations Chiefs of Police Association, with funding provided by the Aboriginal Policing Directorate within the Department of the Solicitor General of Canada. The course has been offered on five occasions: May 1994, March 1995, 1996 and 1997, and January 1998. The course provides First Nations police officers with the skills and expertise to deal with family violence on reserves. The three-week course offers training in investigative techniques, including confronting the perpetrator, supporting the victims of family violence and attempting to guide both the victim and aggressor toward the proper community or justice resources. Having First Nations police officers trained in the area of family violence investigation can only serve to help women living on reserve feel more comfortable with reporting the crime to the police.

Supporting Community-Based Action

117. The federal government provides funding for projects that address violence against women in a variety of community contexts. Following are some examples.

118. The Aboriginal Friendship Centre Network developed a framework for services and programs to meet the needs of urban Aboriginal women. The Women's Community Action Team in the Northwest Territories developed a series of community training modules in three Aboriginal languages.

119. The Calgary Coalition Against Family Violence, with funding from Status of Women Canada (SWC), worked extensively with women's shelters and transition houses to ensure that the needs of immigrant and visible minority women were met. The project resulted in changes to policies and procedures by agencies throughout the shelter movement, involving such areas as staffing and staff training, diet, child care and cultural interpreters.

120. Equay Wuk Women's Group was established in 1988 to represent the interests of Aboriginal women in the Nishnawbe Aski Nation of Northern Ontario. Women from 25 isolated First Nations communities are represented. Status of Women Canada has been a key partner in supporting Equay Wuk to develop and carry out a three-year, anti-violence strategy in northern communities. Anti-violence training manuals were developed based on meetings held with women in First Nations communities. The guides, in English and Oji Cree, have been used extensively in training health and social service workers. In addition, local women were trained to conduct workshops and to provide support to women in their communities.

121. As part of the Family Violence Initiative, efforts to increase access to information and services often have a community focus. In 1995, the government produced a booklet for

immigrant women entitled *Abuse is wrong in any language*. The government was also a key sponsor of the Canadian Mental Health Association's document, *Joining Together Against Violence, An Agenda for Collaborative Action.*

122. The Multiculturalism Program of the Department of Canadian Heritage has an allocation of $215,000 per year for family violence prevention programming, as part of the Family Violence Initiative, for ethnic and visible minority communities, particularly for community members who are not fluent in either English or French. The Program is working with community NGO partners in the three largest Canadian urban centres to develop heritage language programming about family violence, including child abuse, for airing on ethnic radio and television stations. It has also developed, in collaboration with CFMT-TV (Canada's largest multilingual television station), a 30-second public service announcement about the impact of family violence on children. The announcement has been produced in 14 languages and was aired on all major ethnic television stations across Canada.

123. From 1992 to 1995, on behalf of the Family Violence Initiative, funding was provided by the Social Sciences and Humanities Research Council and Health Canada to establish five Research Centres on Family Violence and Violence Against Women across Canada. Based on partnerships among front-line workers, government officials and academics, each centre continues to carry out participatory research, the results of which are available from Health Canada's National Clearinghouse on Family Violence. In 1996, the centres formed an alliance, and, in 1998, SWC provided financial assistance to the alliance to develop recommendations for a national strategy on family violence prevention and the girl child.

Awareness and Education Initiatives

124. Through the National Film Board (NFB), the federal government continues to produce films that stimulate discussion and promote action on the issue of violence against women. Since 1995, the NFB has assisted in the production of more than 10 English and French productions that focus on violence against women, including *De l'amour à la violence : trois femmes parlent*, *You Can't Beat A Woman* and *Mixed Messages: Portrayals of Women in the Media*. Through a partnership with the National Clearinghouse on Family Violence, these films are distributed to 38 partner libraries across Canada.

125. The Department of Justice Canada has developed various information materials to inform Canadians about their rights and responsibilities under the law, including a booklet entitled *Stalking is a Crime Called Criminal Harassment*, as well as a guide which explains how to do gender equality analysis in the prosecution of family violence cases. The Department has also developed information materials on spousal abuse for immigrant women and their service providers, and on the use of peace bonds.

126. In 1995, the federal interdepartmental Working Group on Female Genital Mutilation supported community consultations on FGM and the development of a literature review. In 1998, a workshop training module was developed for communities to address the health, legal and cultural aspects of this practice.

127. In April 1994, the federal government, as part of the Family Violence Initiative and in partnership with the Canadian Association of Broadcasters, launched a two-part national campaign to raise awareness about violence and to change people's attitudes toward violence. One major element of the "Speak Out Against Violence Campaign" was the broadcast, on a national scale, of a series of radio and television public service announcements. Phase I of the campaign focused on messages designed to raise awareness about violence in general.

128. Phase II of the campaign was launched in April 1996 and lasted a year. Entitled "Violence: You Can Make A Difference," it went beyond raising awareness of the issue of violence to giving practical information to Canadians for action against violence. It revolved around a new series of television and radio announcements on the themes of violence against women, violence against children and media literacy. To support this campaign, print materials were developed and distributed to communities across Canada.

129. An evaluation of Phase II of this initiative concluded that the campaign was successful. It found that violence issues, including family violence, are of concern to Canadians, that the television and radio public service announcements were well received and the print materials were useful to a wide variety of front-line workers, service agencies and other intervenors.

130. In June 1996, the Federal-Provincial-Territorial Forum of Ministers Responsible for the Status of Women released a resource guide entitled *Beyond Violence: Reaching for Higher Ground.* This guide catalogues violence prevention and intervention initiatives across the country, and aims to help governments and community organizations share information on best practices and avoid unwarranted duplication.

131. To mark Canada's National Day of Remembrance and Action on Violence Against Women (December 6) in 1998, the *Iqaluit Declaration of the Federal-Provincial-Territorial Status of Women Ministers on Violence Against Women* was issued. The Declaration reflects the shared vision of Canada's status of women ministers of safe, healthy communities in every region of the country and government commitments to end violence against women.

Shelters for Women Leaving Abusive Situations

132. Transition homes in Canada have more than 85,000 admissions of women and dependent children every year. Eighty percent of these women are escaping abusive situations. From April 1, 1997 to March 31, 1998, there were 90,792 admissions to the 413 facilities that responded to the survey question — 47,962 women and 42,830 children. In a snapshot taken on April 20, 1998, the 422 shelters that provided data had 6,115 residents — 2,918 women and 3,197 accompanying children. Nearly 80 percent of the women and children living in shelters that day were there to escape abuse. These women were escaping from psychological abuse (78 percent), physical assault (67 percent), threats (48 percent) and sexual assault (26 percent). Non-abuse admissions for both women and children generally resulted from housing problems (almost three quarters of those women admitted for reasons unrelated to abuse).

133. The federal government has made a substantial investment in building and enhancing shelters in Canada. Its commitment to providing and enhancing housing for women and children in crisis continues through the $4.3 million Shelter Enhancement Program (SEP), launched in 1996. The federal government upgraded existing second-stage housing and emergency shelters to meet acceptable health, safety and security standards, as well as to address the needs of children, older clients and persons with disabilities. It also constructed new family violence emergency shelters in First Nations communities, which opened in 1998-99. Since 1995, 3,000 shelter units have been enhanced under this program.

134. The largest period of growth came in the 1980s as the issues of violence against women and family violence gained attention at all levels of government. Much of the growth between 1989 and 1998 was due to the development of shelters in Aboriginal communities and in rural areas. In 1998 for example, 46 percent of shelters served rural areas (and may also have served urban/suburban areas), and 29 percent provided services to reserves. Currently, however, safe shelters in Canada accommodate about 90,000 women and children annually. An evaluation of the federal government's SEP will be conducted in 2000-01. As part of this evaluation, the question of "need," and the extent to which the Program addresses it, will be assessed where possible.

Conditions of Women in Federal Prison

135. Women serving federal sentences make up approximately 4 percent of the total federal offender population. More than half of the 850 women offenders are in the community on conditional release.

136. In 1990, the Task Force on Federally Sentenced Women recommended the replacement of the sole federal Prison for Women with four regional facilities and an Aboriginal healing

lodge. The Task Force also recommended that these facilities operate on a community-living model and that women-centred programs be developed.

137. These five new facilities, accommodating medium and minimum security women, were operational by the end of the 1996-97 fiscal year, are located in Nova Scotia, Québec, Ontario, Saskatchewan and Alberta. Eighty-five percent of federally sentenced women are now housed in these facilities.

138. In April 1996, a few months before the opening of the new facilities, the commission of inquiry into a disturbance at the Kingston Prison for Women released its report. The Arbour Commission, in general, supported Correctional Service of Canada's plans for the new facilities but made several recommendations to further ensure there would be consistent improvement in the management of women offenders. In response to this report, the federal government committed to several key measures, including the following.

139. A Deputy Commissioner of Women's Corrections has been appointed to be responsible for all policy and program development for women offenders in the federal correctional system.

140. An external monitor has been appointed to oversee and report annually for the next three years on the systemic impacts, if any, of cross-gender staffing at the regional women's institutions. The project began in January 1998 with the second annual report being released in 1999. The final phase of the project is under way.

141. Correctional Service of Canada has amended its policy to state that, in a women's institution, there will never be an all-male institutional emergency response team used as a first response, and at no time will male staff ever participate in, or witness, a strip search of female inmates.

142. An exclusion order in place at the Edmonton Institution for Women authorizes the Correctional Service of Canada to have women only in front-line staff for three years, pending the final recommendations of the cross-gender staffing monitor.

143. The implementation of the new facilities for women included not only a new physical design but also the establishment of a program strategy for women offenders and a unique staff selection and training program. In addition to standard correctional officer training, front-line staff are required to participate in a 10-day modularized women-centred course.

144. The Okimaw Ochi Healing Lodge for Aboriginal women is the first institution of its kind in Canada, and was developed with and for the First Nations community. The majority of the staff, including the *kikawinaw* (director of the institution — "our mother" in the Cree language) are of Aboriginal descent. The Okimaw Ochi Healing Lodge opened in 1996

near Maple Creek, Saskatchewan, and operates at capacity with 28 women offenders. The interventions with the women are Aboriginal based, with a strong emphasis on culture and spirituality. There are full-time, on-site elder services available, and a major component is the strong link between the programs and the larger Aboriginal community. Women offenders at the Healing Lodge also have the opportunity to participate in the residential mother-child program.

145. With the regional facilities, the Correctional Service of Canada designed an environment which provides women with related opportunities to accept responsibility, learn new skills and successfully return to the community. The institutional design and operation is based on a community-living model. The inmate housing is provided through stand-alone houses clustered behind a main building containing staff offices, program space, a health care unit and visiting area. Each facility also has an enhanced security unit, which contains cells used for segregation and initial reception for new admissions. Each house accommodates 6-10 women and includes communal living space, kitchen, dining area, bathrooms, a utility/laundry room and access to the grounds. The women in each house are responsible for all their daily living needs, including cooking, cleaning, laundry, etc. There are no staff members in the houses; however, regular counts are done. As well, the facilities all have a perimeter fence with a detection system, and the doors and windows on each house have alarms.

146. During 1996-97, it became apparent that the community living concept and design of these facilities did not meet the needs of the maximum security population or the women with severe mental health needs, in terms of both security and programming. Based on a comprehensive review of operations and an assessment of the population, it became evident that some inmates pose an unacceptably high safety risk, or their mental health status was such that appropriate long-term clinical intervention could not be addressed within the community-living operation of the regional institutions. After examining a number of options, available accommodations in existing facilities where women are housed separate from the male population are being used as an interim measure.

147. The Correctional Service of Canada has also implemented two intensive mental health treatment programs — one at the Regional Psychiatric Centre in the Prairie Region and one at the Prison for Women in Ontario — for those women with significant mental health problems.

148. The Women Offender Initiative of the Correctional Service of Canada represents a new and innovative way of housing and assisting women. To date, it has proven to be a successful approach to correctional interventions for women offenders. It is anticipated that the initiative will continue to evolve within the gender-responsive framework established in *Creating Choices*, the 1990 Task Force Report.

Support for Aboriginal Women

149. In January 1998, the Government of Canada launched Gathering Strength — Canada's Aboriginal Action Plan, a comprehensive long-term plan to develop healthy, more self-sufficient and economically viable Aboriginal communities.

150. Gathering Strength sets out commitments under four themes: renewing partnerships, strengthening Aboriginal governance, developing a new fiscal relationship, and building strong communities, people and economies. The aim of this integrated agenda is to improve living conditions, develop employment-related skills and promote economic development.

151. Aboriginal women living in poverty benefit from the integrated and numerous Gathering Strength initiatives, in particular:

- the development of a framework for welfare reforms focusing on economic development and job creation
- the Aboriginal Human Resource Development Strategy which includes labour market programs and child care
- the Aboriginal Workforce Participation Initiative which increases recruitment, employment, retraining and promotion of Aboriginal people
- increased funding for housing, water and sewer projects on reserves

152. Canada has undertaken research and development of supports for Aboriginal entrepreneurs. Programs include: Aboriginal Business Canada; the Opportunities Fund; the Aboriginal Business Development Centre; Canada's Aboriginal Youth Business Strategy; and the Aboriginal Export and Trade Directory. These programs are particularly beneficial to Aboriginal women as their growth in self-employment is double that of women generally. An additional program, the Procurement Strategy for Aboriginal Business, was developed by the Department of Indian Affairs and Northern Development (DIAND) and is supported by Public Works and Government Services Canada. In 1998-99, 103 contracts were awarded to Aboriginal firms.

Women Refugees

153. The Immigration Review Board *Guidelines on Women Refugee Claimants Fearing Gender-Related Persecution*, issued originally in 1993, were updated in 1996 to clarify and strengthen the principle that adjudicating gender persecution requires making the links between a woman's gender, the feared persecution and one or more of the enumerated grounds for persecution.

154. The Guidelines now take into account Supreme Court of Canada decisions confirming that gender is the basis for entitlement to protection as a "member of a particular social group" — one of the grounds for recognition of Convention refugee status. As well, the amended Guidelines clarify that, in the context of civil war, sexual violence must be recognized as gender persecution.

155. In response to a request from the United Nations High Commissioner for Refugees in 1998, Citizenship and Immigration Canada hosted an international workshop of government officials, NGOs and Women at Risk program participants to examine challenges facing both governments and NGOs in the delivery of programs designed to protect refugee women. That workshop was followed by a national workshop on Canada's Women at Risk program. One outcome of these workshops is the Urgent Protection Pilot implemented in 1999. The Pilot was tested on women in need of urgent protection and involved expedited processing in their selection and resettlement. Women at Risk in need of urgent protection are now selected within 24 hours and resettled in Canada within 48-72 hours.

Proposals to Reform Immigration Legislation

156. In November 1996, an independent advisory group was established to review legislation relating to immigration and the protection of refugees. Building on the report of the Legislative Review Advisory Group (released in January 1998) and subsequent public consultations, the Department of Citizenship and Immigration developed proposals to reform Canada's immigration legislation. These proposals were presented in a document entitled *Building on a Strong Foundation for the 21st Century: New Directions for Immigration and Refugee Policy and Legislation*. This document contains several proposals of particular significance to women under consideration for immigration.

157. The government proposed to discuss (with provincial and territorial governments) a possible reduction in the length of sponsorships for spouses and children. Currently, the duration of a sponsorship is 10 years for all categories; while in Québec, the duration is three years for spouses. In keeping with Canadian values and important national policies in support of families and children, it was proposed to prohibit sponsorship by people in default of court-ordered obligations (alimony or child support) and people convicted of crimes involving domestic violence. Enacting a provision that suspends sponsorship obligations, if the sponsor or the sponsored immigrant is convicted of violence against the other person, would also recognize the overwhelming evidence of danger for the victim that any contact with the convicted person represents.

158. In the area of immigrant selection, the government proposed to undertake further research to determine how a new selection system might take into account the potential for the social and economic contribution of spouses. The government also examined its policies

in the area of employment for spouses of temporary foreign workers and instituted a spousal pilot project, automatically extending employment authorizations to spouses accompanying highly skilled foreign workers entering Canada for a period of more than six months. Programs of a more permanent nature are under consideration.

International Activities

159. Canada continues to promote the mainstreaming of a gender perspective into programming and policy in the United Nations High Commissioner for Refugees (UNHCR). Canada was a strong proponent of the establishment within UNHCR of a senior coordinator for refugee women in 1989, and agreed to both staff and fund the position for three years. The senior coordinator drafted the UNHCR guidelines on refugee women, and the position has now become a permanent UNHCR post attached to the Program Policy Unit. This position is regarded as an important means of mainstreaming a gender perspective, and Canada continues to support strongly the work of the UNHCR in this regard. Furthermore, Canada has been, and continues to be, active within UNHCR Executive Committee discussions on conclusions related to gender persecution and women refugees. Canada continues to promote UNHCR reporting on steps taken to mainstream gender concerns in their activities, including efforts to follow up on the implementation of the Beijing Platform for Action.

160. The Department of Foreign Affairs and International Trade (DFAIT) works actively at the UN Commission on the Status of Women (CSW), the Commission on Human Rights (CHR) and the UN General Assembly to support resolutions calling for the elimination of violence against women, including the girl child, to recognize violence against women as a violation of the human rights of women, and to eliminate traditional or customary practices affecting the health of women and girls, including female genital mutilation (FGM).

161. As a result of a Canadian-led resolution at the CHR in 1994, a Special Rapporteur on violence against women was appointed. (The Rapporteur is in her third term, as of CHR 2000.) Support for this Canadian-led CHR initiative is increasing with over 70 cosponsors from all regional groups.

162. DFAIT recently launched a new research and policy development initiative on gender and peace building. This initiative focuses on the gender-differentiated experiences, accounts, impacts and perspectives of armed conflict. The policy work seeks to address, from a gender perspective, the broad issues of peace implementation, human security and the cessation of violence. The objective is to integrate a gender perspective into the Department's peace building policy development and peace implementation programming.

163. DFAIT is co-developing the Joint Canada-UK Gender Awareness Training Initiative for Civilian and Military Participants in Peace Operations. The training curriculum under development will enhance awareness of the gender dimensions of peace operations and provide participants with the ability to employ gender analysis in the field. This will be achieved through the provision of concrete skills and tools. The pilot is expected to be delivered in March 2000.

164. The Pearson Peacekeeping Centre has been involved with the creation of Gender Training for Peacekeepers. This course sensitizes those involved in peacekeeping with the trauma faced by local women in the areas of operation, including the impacts of culture and religion.

Article 4: Temporary Special Measures

Women's Equality and Role in the Federally Regulated Sector

165. The federal government is one of the largest employers of women in the country and, as such, has a responsibility to exercise leadership in promoting gender equality within the public service. The federal government is committed to increasing women's recruitment, development and promotional opportunities within the federal public service. One key objective outlined in *The Federal Plan for Gender Equality* is the advancement of gender equality for employees of federal departments and agencies.

166. The representation of women in the federal public service has gone from 42 percent in 1987 to 49.5 percent in 1996; in 1998, that figure rose to 50.5 percent. Despite these advances, women in the public service have yet to attain gender parity with men in terms of career development, opportunities for advancement and job security.

167. A number of initiatives are under way to improve the representation of women in non-traditional public service occupations.

168. There are recruitment campaigns to attract women to non-traditional occupations and programs, and to facilitate the transition of administrative support staff into high growth, high demand career streams such as computer science.

169. Some departments have introduced mentoring programs to enhance promotion opportunities for women in non-traditional occupations.

170. Other departments have set targets for the participation of women in recruitment and career-bridging programs.

171. A major initiative in support of the goal of improving the representation of women in the public sector was strengthened with the coming into force of the new *Employment Equity*

Act on October 24, 1996. The new Act strengthened the former *Employment Equity Act* of 1986. It continues to apply to private sector employers under federal jurisdiction, and it includes almost all employees in the federal public sector. In addition, the Act gives the Canadian Human Rights Commission the authority to conduct audits and to verify and gain employment equity compliance, clarifies existing employer responsibilities and streamlines regulatory procedures. Where compliance is not attained within a designated period, the Commission may issue "directions" to order compliance.

172. The 1996 *Employment Equity Act* enhances the merit principle by ensuring that all qualified candidates are considered for employment opportunities. The legislation specifically states that the obligation to implement employment equity does not require an employer to hire or promote unqualified persons.

173. The Act requires federally regulated employers to move toward a more representative work force by developing and implementing an employment equity plan. The plan, based on a careful analysis of the employer's work force and a review of the employment systems to identify barriers, must contain flexible numerical goals (not rigid quotas) for the hiring and promotion of designated group members in those occupational groups where there is under-representation. The four designated groups are women, Aboriginal peoples, persons with disabilities and members of visible minorities. These goals, which, in most cases, must be higher than availability in the labour force, are intended to act as human resource planning tools. They must be supported by sufficient special measures to ensure they are achieved. Employers are required to make all reasonable efforts to implement their plan and achieve the goals they have set, but failure to achieve these goals does not automatically result in sanctions.

174. Under the Act, employers must report on their progress annually, and these reports are made available to the public. On June 1st of each year, employers covered under the Act (about 340 employers and 568,000 employees) submit to the Minister of Labour a report on the employment situation of the four designated groups for the previous year.

175. Reports filed by employers covered under the *Employment Equity Act* indicate that the four designated groups are under-represented in most occupational categories and industrial sectors everywhere in Canada.

176. Employment equity for the public service (those for whom Treasury Board is the employer) is now legislated in the *Financial Administration Act*, through passage of the *Public Service Reform Act* in 1992.

177. In addition, Human Resources Development Canada (HRDC) tables an annual report on employment equity in Parliament. The report for 1998 (released in February 1999) shows that the overall representation of women in the work force under the Act was 44.57 percent in 1997, compared to 44.81 percent in 1996 (compared to overall

representation in the Canadian labour force of 46.4 percent according to the 1996 Census). The decrease was mainly due to the fact that significantly more women were terminated than were hired in the work force under the Act in 1997, mainly in the banking sector. Despite a slight decrease, from 1996-97, in the overall representation of women in the work force, their representation increased in full-time work and in promotions.

178. In the banking sector, the number of jobs traditionally occupied by women has decreased significantly in the last 10 years, and banks have not been hiring enough women into other jobs to compensate for the decrease. In 1997, women represented 73.79 percent of all employees in the banking sector, compared to 74.76 percent in 1996. However, there have been increases in some key areas, such as in the number of female executives.

179. The average salary of women working full time in the federally regulated private sector work force under the Act was $39,282 in 1997, compared to $51.727 for men.

180. Women increased their share of promotions in permanent jobs in the private sector from 55.96 percent in 1996 to 56.59 percent in 1997. In 1998, that figure rose to 57.6 percent.

181. In the private sector subject to the *Employment Equity Act*, women in the other three designated groups earned average salaries that were lower than the salaries of all women in the work force. The representation of persons with disabilities decreased significantly, from 2.66 percent in 1996 to 2.31 percent in 1997. Women with disabilities accounted for almost 85 percent of this decline.

182. In addition to the *Employment Equity Act*, the federal government has other initiatives to advance the representation of women in the federal public service.

183. The Treasury Board Secretariat announced its new Employment Equity Positive Measures Program in December 1998 as a successor program to the former Special Measures Initiatives Program (SMIP) which ended in March 1998. By 1997-98, the SMIP, along with federal government departments, had funded 166 special measure programs for the four designated groups at a cost of $32.5 million. Many of these programs were designed to address special measures for women. Some of the programs included career development, moving women into non-traditional occupations and out of the administrative support categories, workplace equality and mentoring programs.

184. The new Employment Equity Positive Measures Program is a temporary four-year program, running from 1998-99 to 2001-02. It is designed to promote greater self-sufficiency of departments and agencies in achieving their employment equity objectives and fulfilling legislated obligations. It also positions central agencies to better discharge their legislated responsibilities to address system-wide employment equity priorities. The Program aims to: promote multi-departmental partnership projects dealing with barriers to employment equity; provide an intervention fund for strategic initiatives;

offer career counselling to designated group members; and establish the Employment Equity Resource Centre for Persons with Disabilities.

185. The Management Trainee Program is designed to attract qualified university graduates from both inside and outside the public service and to develop them to the middle management level. As of March 1996, 55 percent of the participants were women.

186. The Diversity in Leadership Program, which assesses the experience of aspiring senior level, employment equity group managers, includes a component to develop women for non-traditional occupations.

187. The Career Assignment Program (CAP) and the International Program also seek to ensure that qualified women are nominated as participants wherever possible. CAP is intended to develop the executive potential of promising public servants through rotating assignments. As of March 31, 1997, 62 percent of CAP participants were women. The International Program identifies qualified candidates for work experience in international organizations.

188. A number of steps have been taken to create a more supportive and flexible work environment in the federal public service. There is a focus on learning and development, balancing work and family, wellness, and recognition of individual and team accomplishments. There is also promotion of the value and strengths of gender equality and diversity in the work force. Medical and dental benefits have been extended to the same-sex partners of employees.

189. The introduction of a government-wide flexible workplace policy has been positive. As a result, public servants can take advantage of a number of flexible working arrangements such as telework, compressed hours, job sharing, part-time work, daycare and self-funded leave. These initiatives particularly benefit employees seeking better ways to balance family and professional responsibilities.

190. In 1994, a strengthened harassment policy was introduced into the federal public service. It includes access to impartial mediation and conflict resolution, and a new prescribed means of handling harassment complaints. As a result, all departments are reviewing, updating and improving their harassment policies and procedures. Training programs on interpersonal relations, harassment, abuse of authority and conflict resolution have been introduced in many departments.

191. There have also been changes to the physical design of the workplace and adjacent areas to improve the physical safety of women employees of the federal public service. This has included tree trimming to eliminate hiding places along exterior walkways and improved lighting in parking areas. Some departments have undertaken personal safety inspections and audits, while others have made self-defence courses or information available to employees.

Article 5: Elimination of Stereotypes

192. Awareness and education programs in the area of violence against women are discussed under Article 3. A discussion of the promotion of women role models in the area of sports, and a commemoration of women's achievements in history are discussed under Article 13.

193. The Women's Program administered by Status of Women Canada (SWC) provided $1.6 million in grants and contributions in 1996-97 to equality-seeking groups to address such issues as sexual assault, family violence, pornography and the portrayal of women in the media.

194. In 1995-96, SWC's Women's Program provided funding to the Students Commission of Canada to prepare a multimedia kit on young women's issues entitled "Challenge the Assumptions." In 1997-98, SWC provided funding to the Commission to hold a national video conference, "Challenge Those Images." The conference involved young women in the development of critical perspectives on the impact of media on young women and in articulating recommendations related to the negative portrayal of young women in the media to influence media professionals and other relevant decision makers.

195. In March 1997, SWC held the Roundtable on the Portrayal of Young Women in the Media. Participants included industry representatives, advertising agencies, publishers, fashion editors and television producers, as well as academics and representatives of MediaWatch with expertise on the impact of media images on young women. Among the concerns discussed were the relationship between the portrayal of women as victims of violence and violence against women, and the sexualization of younger women. This dialogue continues.

Article 6: Trafficking of Women and Prostitution

196. Prostitution itself is not illegal in Canada, but a number of prostitution-related activities are prohibited. It is a criminal offence to keep or be an inmate of a bawdy house (brothel). "Procuring" or "living off the avails" of prostitution is illegal. Finally, it is an offence to communicate in public for the purpose of engaging in prostitution (this applies to the customer as well as the prostitute).

197. On December 15, 1998, the Federal–Provincial-Territorial Working Group on Prostitution released its final report entitled *Report and Recommendations in Respect of Legislation, Policy and Practices Concerning Prostitution-Related Activities*. The Working Group was established in 1992 by the federal and provincial/territorial deputy ministers of justice. Its mandate was to review legislation, policy and practices concerning prostitution-related

activities and to provide recommendations. The Working Group focused its energies on the issues of youth involved in prostitution and the harm associated with street prostitution. The issue of violence against prostitutes was raised frequently as it affects both youth and all street prostitutes. The Working Group found that, despite a series of *Criminal Code* amendments made over the last 25 years, there is compelling evidence that the current law is not working.

198. The Working Group recommended that the response to youth involved in prostitution should include social intervention strategies and more effective measures to apprehend and prosecute those who sexually exploit youth. Any response should also address the issue from the perspective of the victimization of youth.

199. The Canadian government is working interdepartmentally to develop domestic policies to deal with trafficking in women in Canada and a federal government interdepartmental working group on trafficking is examining issues related to trafficking in women in preparation for negotiations of the UN Convention on Transnational Organized Crime.

200. Canada supports the elaboration of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the UN Convention Against Transnational Organized Crime. Canada emphasizes the importance of including human rights protections and safeguards and, if appropriate, an article on discrimination.

201. In 1996, the Minister of Foreign Affairs appointed a special advisor on children's rights, with a mandate to provide advice on children's issues, liaise with NGOs, the academic community, business and the public, and to participate actively in national and international activities on children's rights. The special advisor also chairs an interdepartmental committee that is following up on the Agenda for Action of the 1996 Stockholm Congress on the Commercial Sexual Exploitation of Children. The focus of the committee is to help develop and promote a Canadian strategy that is aligned with the orientations set out in the *Report of the Rapporteur-General*, prepared by the former UN Special Rapporteur on the sale of children, child prostitution and child pornography.

202. The interdepartmental committee was instrumental in the convening of the Summit on Sexually Exploited Youth held in March 1998 in Victoria, British Columbia. The Summit provided a forum for victims of sexual abuse to convey their personal experiences, and brought together youth (primarily girls) from the Americas with experience in the commercial sex trade. They successfully developed a declaration and an action plan. Canada is currently exploring ways to develop support mechanisms for youth, particularly girls, to return to their communities. This includes rehabilitation and counselling, education and training, and reintegration into the community and labour force.

203. Canada has also been very supportive of the early adoption of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Pornography and Child Prostitution. It has been very active in the negotiations to ensure that the text would oblige states to criminalize these practices and to put measures into place to protect child victims.

204. The Canadian International Development Agency (CIDA) supports a number of initiatives to prevent the exploitation of women in developing countries, including the trafficking of women. Through its Southeast Asia Fund for Institutional and Legal Development, CIDA has supported the national and international action to control, reduce and ultimately eliminate the exploitation of migrant labor, especially the trade in women in the sex industry in the Mekong area.

205. Efforts to prevent trafficking in women have historically focused on controlling illegal migration and punishing those who violate immigration law. There is now an understanding that a broader approach is necessary — one which not only focuses on preventing illegal immigration, but also recognizes and protects the human rights of the women being trafficked, and prosecutes those who perpetuate and facilitate this trafficking. In order to develop policies and programs that satisfy the requirements of this broader framework, it is important to have a good understanding of how trafficking plays out in Canada. Unfortunately, there is limited concrete information on the extent and the nature of trafficking in women in Canada, and on the implications for municipal, provincial and federal governments of policies that would reinforce this wider approach.

206. A Federal Government Interdepartmental Working Group on Trafficking is presently examining issues related to trafficking in women in preparation for negotiations of the UN Convention on Transnational Organized Crime.

207. SWC has contracted four research projects on the Canadian dimension of trafficking in women. It is anticipated that the research will provide greater insight into the extent of the problem in Canada and suggest possible legal and social approaches to the issue, which would take into account the various jurisdictional aspects. The projects are scheduled for completion by the year 2001.

208. SWC has convened a series of roundtables to address different aspects of the issue of exploitation of children, with a focus on the exploitation of girls and young women. The first one held in December 1996 — the Roundtable on Child Sex Tourism — brought representatives of the travel and tourism industry together with groups such as Street Kids International and End Prostitution in Asian Tourism to discuss how Canadians can contribute to solving the problem of child sex tourism. A subsequent roundtable in March 1998 produced a draft action plan for a national education campaign against the commercial sexual exploitation of children. The campaign, called Stolen Innocence,

brings together representatives of the Canadian travel and tourism industry, NGOs and governments to coordinate efforts to address the problem both here and abroad.

209. The Women's Program, administered by SWC, has also funded a number of activities undertaken by NGOs in this area, including Passages : Centre des femmes pour jeunes prostituées de Montréal, to undertake a public awareness and education campaign on issues of street life, commercial sexual exploitation and violence against women. The project L'autre coté de la rue will train 10 female street youth to facilitate workshops in Montréal, St-Jérome, Drummondville, Buckingham and Hull. In addition, the Women's Program has provided funding to The Tracey Memorial Project carried out in Vancouver by Prostitution Alternatives Counselling and Education to look at off-street prostitution. In Saskatchewan, funding was provided in support of a project entitled Saskatoon Communities for Children to begin the process of implementing the strategies and recommendations developed by the Working Group to End the Sexual Abuse of Children by Pimps and Johns. It involved working with community groups, government departments and agencies to establish fiscal responsibilities and time lines for the implementation of recommendations. Outcomes include the establishment of a safe house, healing and treatment programs for victims aged 7-15 and service protocols among the various agencies involved.

210. SWC also supports community-based action on trafficking in women. For example, in the spring of 1997, SWC provided financial assistance to the North American Regional Consultative Forum on Trafficking in Women held by the Global Alliance Against Trafficking in Women (GAATW) Canada. The Forum took place in Victoria, British Columbia.

211. More recently, SWC provided funding to the Toronto Network Against Trafficking in Women to document the experiences of the women arrested under Operation Orphan in Toronto in September 1997.

Article 7: Women in Politics and Public Life

212. A key objective for Canada outlined in *The Federal Plan for Gender Equality* is the incorporation of women's perspectives in governance. The federal government acknowledges that promoting women's participation and representation in governance and decision making — at all levels of political and social life — is an essential step in improving women's status and well-being. It is also a fundamental prerequisite for women's equality and is integral to respecting women's human rights.

213. Despite their many advances in leadership roles, women continue to be under-represented in such critical areas as politics and the corporate business sector. Women are also a minority among professionals working in such fields as the natural sciences, engineering and mathematics.

Representation in the Federal Parliament

214. As of December 1998, women comprise 60 (or 19.9 percent) of the 301 elected members of the House of Commons. This is up from 13.6 percent in 1990 and 5.0 percent in 1980.

215. Within the appointed Senate, women constitute 32 of the 104 senators, or 30.8 percent. This is up from 13.5 percent in 1990 and 10.2 percent in 1980.

Representation on Boards and Judicial Appointments

216. The federal government acts to ensure gender balance is considered when proposing candidates for appointments to federal boards and agencies. Some departments have developed guidelines in this regard, while others are establishing data banks of qualified women who can be considered for appointments to boards and commissions.

217. Between April 1, 1994 and March 31, 1998, a total of 3,021 appointments were made to federal boards and commissions; of these 1,930 were men and 1,091 were women.

218. The federal government continues its efforts to recommend women for appointments to the federal judiciary. In 1997, 17 of 39 judicial appointments were women, while in 1998, 17 of 55 appointments were women.

219. In 1997, Industry Canada and Canadian Women in Communications (CWC) established an exchange program to foster professional and personal growth for high potential business and government employees. As part of this exchange program, awards are offered each year to two candidates from the private sector and two employees from Industry Canada. Industry Canada's participation in this program complements the existing Jeanne Sauvé Award, an internship program sponsored by the Department of Canadian Heritage and the CWC in memory of Canada's first female Governor General.

Women in the Royal Canadian Mounted Police

220. During 1996, it became evident that many female applicants were unsuccessful in passing the Physical Abilities Requirement Evaluation (PARE) for the Royal Canadian Mounted Police (RCMP). The main reason was the lack of upper body strength. To alleviate the problem, recruiting personnel (with the assistance of the "B" Division (Newfoundland) fitness-lifestyle coordinator and "Depot" Division (formerly the RCMP Training Academy) fitness staff) developed a training program specifically designed for female applicants in preparation for PARE. This program is available to all applicants, regardless of gender. Since its inception, a vast improvement has been noted in PARE test results for female applicants.

221. The RCMP is continuing to develop initiatives to have the number of instructional staff correspond to the proportion of women, visible minority and Aboriginal members throughout the RCMP work force. Policy on the recruitment of applicants from designated groups has also been established based on the need to make the RCMP more representative of the clients it serves and to ensure that recruiting supports community policing principles.

Women in the Canadian Armed Forces

222. In 1989, a human rights tribunal concluded that the exclusion of qualified women from combat roles could not be justified. It ordered the Canadian Forces to develop a plan to ensure that the integration of women proceeded "steadily, regularly and consistently" toward complete integration into combat operations within 10 years. Full integration does not mean that women must make up half of Canadian Forces members. Rather, barriers must be eliminated so that women, who meet the required standards and want to serve, can have a career in combat occupations and other areas where previously there were limits on the numbers of women who could serve in a specific occupation.

223. As of September 1997, women accounted for 10.6 percent of the effective strength of the Canadian Forces. However, in 1998, women still accounted for only 4.8 percent of the members of combat occupations in the navy, army and air force. In 1997, Land Command developed a targeted recruitment campaign to increase the number of women in combat occupations, with Operation Minerva, which was targeted toward career retention and promotion, and the elimination of systemic barriers by 1999. The army has requested that 25 percent of its intake of recruits be women, in order to obtain a critical mass for training and employment in various units. Beginning in January 1998, the army launched a $1.5 million advertising campaign aimed at recruiting women for infantry, armor, artillery and engineering roles. From 1989 to 1997, 245 women joined all four combat non-commissioned member occupations. As of November 1998, in the four months following the completion of the campaign, 368 women applied for at least one combat arms occupation, and recruiting centres received numerous applications from women wanting to transfer from the primary reserve to regular force combat arms positions.

224. Maritime Command has undertaken various initiatives, including a study of the reasons that lead women to leave the navy and a re-examination of its family support policies.

225. Other initiatives undertaken by the Canadian Forces include efforts to design its newer ships, and those undergoing refits, in a way that provides flexible accommodation to meet the needs of a mixed male and female crew. Further, combat helmets, rucksacks, combat boots and flak jackets are being modified to ensure that women have the same level of protection and comfort as their male colleagues. Diversity issues are included in senior level Department of National Defence (DND) and Canadian Forces briefings and seminars, and gender issues are covered extensively in the Department's harassment

elimination program. A harassment sensitization course, Standard for Harassment and Racism Prevention, is now mandatory for every member of DND and the Canadian Forces. A gender integration component is being incorporated into the curricula of basic recruit and officer training.

226. The Canadian Forces National Investigation Service (CFNIS), created in September 1997, was established to investigate reports of sexual misconduct. It is independent of the operational chain of command, and is an investigative body that will recommend criminal charges if warranted. The CFNIS is a revamping of a special arm of the military police. It specializes in sensitive investigations, and aims to develop expertise through its specialized focus. It has the authority to bring sexual assault cases directly to trial, thus eliminating the need for an officer — who may have served directly over the victim or the assailant or both — to make the ultimate decision to press a charge. The CFNIS has no mandate to conduct investigations into sexual harassment, which is dealt with through other means.

227. The CFNIS released statistics in July 1998 on investigations it is conducting into sexual misconduct allegations. Between January and June 1998, the Service received reports of 97 sexual assaults and 13 other sex-related offences.

228. In the wake of a series of press reports on incidents of sexual harassment and assault within the Canadian Forces in the spring of 1998, the Canadian Forces has made a number of efforts to step up its commitment to eliminating these unacceptable behaviours. In May 1998, DND established a national 1-800 hotline for reporting sexual assault incidents, with the new National Investigation Service investigating the reported incidents. In June 1998, the military's first ombudsman was appointed, providing an informal clearinghouse for complaints. In November 1998, the Minister of National Defence announced the re-establishment of an advisory board on gender integration, headed by Sandra Perron, the former captain of the Royal 22nd Regiment who left the military in 1996 after being harassed by fellow soldiers.

229. The recent passage of Bill C-25 will also greatly improve the effectiveness of the military justice system in dealing with complaints of sexual assault in the military. The legislation to amend the *National Defence Act* was given Royal Assent on December 10, 1998. One amendment relating to sexual offences in the military and the military justice system is of particular interest to women. The new legislation empowers the military justice system to handle these matters directly, rather than having cases of sexual assault tried in a civilian court, under the *Criminal Code*, as they have been. As a result, cases of sexual assault can be tried under the military justice system. This is expected to result in more expeditious and serious treatment of any such complaint.

Women in Power and Decision Making

230. The federal government continues its practice of ongoing consultation with women's organizations and other community leaders on key issues of concern to women. For example, since 1994, the Minister of Justice and the Secretary of State for the Status of Women have consulted with women's organizations on women and violence. Similar consultations have been held on the developments of the Centres of Excellence on Women's Health and on issues relating to sustainable development. Biannual consultations are also held with national women farm leaders.

231. Under Gathering Strength — Canada's Aboriginal Action Plan, the Department of Canadian Heritage works with Aboriginal women's groups (both on and off the reserve) primarily to strengthen their capacity at the community level, with some attendant support at the provincial/territorial and national levels. The goal is to ensure the full and equitable participation of Aboriginal women in the consultations and decision making surrounding Aboriginal self-government initiatives.

232. The Department of Foreign Affairs and International Trade (DFAIT) has promoted engagement by Aboriginal women in power and decision making by inviting the leaders of national Aboriginal women's organizations to consultations convened by DFAIT on international indigenous issues. For example, DFAIT sponsored Aboriginal women to attend sessions of the World Intellectual Property Organization (WIPO) Fact-Finding Mission to Canada on Intellectual Property Rights and Indigenous Peoples, during its cross-Canada tour in November 1998.

233. In 1996-97, through the Women's Program, Status of Women Canada (SWC) provided funding in support of some 33 projects, with these grants totaling $579,422 in support of a range of projects at national, regional and local levels aimed at addressing the issue of the participation of women in decision making. For example, funding was provided to the Manitoba Association of Women and the Law to increase women's awareness of the federal appointment system and areas where qualified and interested women are needed to fill positions. In Ontario, Women Plan Toronto received funding to conduct workshops aimed at getting women involved in municipal elections as well as municipal governance issues in general. In Québec, the Table de concertation des groupes de femmes de l'est du Québec received funding for four regional meetings. The goal in involving 27 women's groups and 50 women, who sit on regional decision-making bodies, was to increase the representation of women on these bodies and to improve the supportive links among these women.

234. The Government of Canada has also provided funding support for projects undertaken by women's and other equality-seeking organizations to address the participation of women in decision making. Of particular importance is the funding of Aboriginal women's groups to participate in the self-government process. Through this funding, a new

relationship is being forged with the Aboriginal community. Initiatives funded include the following.

235. In response to the creation of Nunavut, Canada's newest northern territory, the Inuit Women's Association of Canada (Pauktuutit) implemented an education strategy for generating public support for gender equality in the Nunavut legislature and the full participation of Inuit women in self-government efforts. This was accomplished with the financial assistance of the Women's Program. Pauktuutit's work focused on the proposal for gender parity in the Nunavut Legislative Assembly, and encouraged women's participation in the plebiscite on gender parity. Pauktuutit held education and strategy sessions with women from across the North, developed a website to post information throughout the plebiscite process, and taught women how to use telecommunication tools and the information highway in networking and coalition building. In the end, although the plebiscite results did not adopt the gender parity proposal, there was widespread public debate about the proposal, laying the groundwork for future public policy discussions on gender equality.

236. The Nova Scotia Native Women's Association researched the traditional role of Mi'kmaq women in the self-governing process. Through its efforts, the Association successfully acquired official status in the NS-Canada Tripartite Forum on Native Self-Government in 1997, thus facilitating Native women's involvement in setting public policy on the critical issue of self-government for Native people in Nova Scotia.

237. The Aboriginal Women's Action Network received funding in 1997-98 to undertake research on the impact of Bill C-31 (an amendment to the *Indian Act*) on Aboriginal women in British Columbia, on the extent of inequities in status and membership and, consequently, access to decision making and resources. Through interviews and questionnaires, research is being conducted, primarily with urban Aboriginal women throughout the province, to identify issues related to band membership, access to homelands and rights for Aboriginal women. In partnership with other urban Aboriginal groups, a strategy is being developed to address identified issues, and improve women's access to band membership and the self-government process.

238. Through the Government of Canada, the Canadian Adaptation and Rural Development Fund is providing $80,000 to farm and rural women's organizations to undertake leadership development and strategic planning workshops in order to revitalize and strengthen their organizations' leadership.

239. The Department of Indian Affairs and Northern Development (DIAND) provided the Native Women's Association of Canada with project funding of $250,000 for a national conference on Bill C-31 which was held in March 1998, and $45,000 for a national follow-up conference which was held in May 1999.

Article 8: Women as International Representatives

240. The Department of Foreign Affairs and International Trade (DFAIT) has made progress in the last five years toward the goal of achieving a work force that reflects the diversity of the Canadian labour market. Progress is also being made to meet obligations under the *Employment Equity Act*. In addition, DFAIT is committed to improving the career prospects of women by increasing their representation in departmental management and by facilitating their access to non-traditional occupations. Efforts continue to be made to implement outreach measures to recruit visible minorities, persons with disabilities and Aboriginal peoples.

241. In 1998-99, women made up 44.7 percent of DFAIT's work force. This is an increase from their representation of 40.8 percent on March 31, 1994. In the Foreign Service officer group, women comprise 28.4 percent, an increase from 22.8 percent in 1994. Progress continues to be made in the recruitment of women. In 1998-99, 49 percent of new employees were female, a slight decrease compared to 52 percent on March 31, 1994. Progress is also being achieved in the Department's commitment to ensure that 50 percent of the candidates interviewed annually are women. The rate of promotion among women has also improved; in 1998-99, 45.5 percent of the people who received promotions were women, compared to 36.7 percent in 1994-95. The separation rate for women in 1998-99 was 46.6 percent, an improvement compared to March 31, 1994 when the rate was 51.5 percent.

242. Current female representation in the executive group of DFAIT is 13.3 percent compared to 8.7 percent in 1994. In 1999, 16.6 percent of heads of mission were women, a substantial increase from 10 percent in 1994.

243. In 1998-99, 28.68 percent of Canadian International Development Agency (CIDA) overseas employees were women. Of these, 5.71 percent occupied management positions, 88.57 percent were in program and administrative services, 2.86 percent in economics and 2.86 percent were from the Foreign Service.

244. DFAIT has initiated qualitative measures to improve the career prospects of women employed in the Foreign Service, *inter alia*, developmental and educational opportunities, flexible working arrangements, teleworking, job sharing, arrangements to accommodate religious holidays and the responsibilities of caregivers, and the provision of funding to acquire special equipment for persons with disabilities.

245. DFAIT has enhanced and improved departmental mechanisms for the career advancement of Aboriginal women in the public service, through the efforts of the Department's employment equity advisor, and pursuant to the provisions of the *Employment Equity Act*. An Inuit woman has served as Canadian Ambassador for Circumpolar Affairs for several years and provides strong leadership at the Arctic Council where she is Canada's senior

Arctic official. Other Aboriginal women occupy positions at the management level and at Canadian missions abroad.

246. Status of Women Canada (SWC) has been successful in securing the participation of representatives from Canadian NGOs (including women's organizations) at key international meetings, to enable them to access the international public policy process more effectively. This has included sending two NGO representatives on the Canadian delegation to the Commonwealth Women's Affairs Ministers Meeting in November 1996 and having NGO representatives on the Canadian delegation to the UN Commission on the Status of Women since 1997.

247. Through SWC's Women's Program, funding has been provided to Canadian women's NGOs for activities in support of Canadian NGO preparations for participation at the United Nations World Conference on Women held in Beijing in 1995 and the more recent United Nations Beijing + 5 preparatory meetings. Through CIDA, Canada has also supported the involvement of women from developing countries in the Beijing process and its follow-up.

Article 9: Nationality

248. Before February 15, 1977, children born outside of Canada were entitled to be registered as Canadians provided they were born in wedlock to Canadian fathers. If they were born to Canadian mothers, they were entitled to be registered as Canadians only if they were born out of wedlock. Since most children were born in wedlock, the parents' civil status had the effect of discriminating against Canadian women.

249. In 1997, the Supreme Court of Canada found in *Benner v. Canada* that the denial of citizenship to a man (for reasons unrelated to his birth), who had been born abroad in wedlock to a Canadian mother in 1962, amounted to unjustifiable discrimination based on sex. If the individual had been born to a Canadian father, he would have been entitled to registration as a Canadian, and other reasons for denying citizenship would not have come into play. The Supreme Court found that the difference in treatment between children born in wedlock to Canadian fathers and those born in wedlock to Canadian mothers amounted to unjustifiable discrimination based on sex.

250. As a result of the Supreme Court decision, eligibility for citizenship for those born abroad of Canadian mothers in wedlock before February 15, 1977 is no longer subject to certain prohibitions. Such children are now entitled to citizenship.

Article 10: Education

251. In Canada, responsibility for education rests primarily with the provincial governments. All levels of government recognize the importance of improving women's education and training opportunities as being central to improving their employment opportunities and, subsequently, their economic well-being. In *The Federal Plan for Gender Equality*, the Government of Canada has outlined a strategy, in partnership with provincial and territorial governments and women's organizations. The Plan focuses on improving women's access to lifelong learning, supporting and encouraging women's participation in the fields of science and technology, and developing appropriate training materials and programs for women. Examples of initiatives that have been undertaken include the following.

Article 10(a): Access to Studies

252. The Canadian Opportunities Strategy (introduced in the 1998 budget) will be of particular importance to women in gaining access to knowledge and skills. Women represent more than 50 percent of university and community college students. Initiatives included in the Canadian Opportunities Strategy are:

- income-sensitive measures to help students manage their debt from Canada Student Loans
- child care expense deductions and education tax credits for part-time students, many of whom are women
- Canada Study Grants designed to provide assistance for high need, low-income students (such as sole-support mothers) who must study part time
- Canada Study Grants students designed to assist female doctoral students in certain programs in which women are traditionally under-represented
- new Canada Study Grants designed to promote accessibility to post-secondary education for students with dependents, by helping them to better afford to continue their studies
- the needs assessment provision under the Canada Student Loans Program which allows child care costs to be assessed for both full- and part-time loans

253. The Canada Student Loan Program provides assistance to eligible students attending post-secondary institutions; a number of provisions are relevant to women. Fifty-five percent of full-time Canada Student Loan borrowers are women, and there is no upper age limit for eligibility.

Article 10(c): Elimination of Stereotypes

254. Through the Office of Learning Technologies (OLT), the Government of Canada provided support to the Pan-Canadian Women and the Internet Conference, held in the fall of 1997. The focus of the Conference was on learning about women's equality issues by using the Internet. The OLT also sponsored the Women's Ways of Learning Workshop which highlighted the work of women and women's organizations in addressing these issues.

255. Another OLT initiative, the Janus Project, raised awareness about the challenges and opportunities learning technologies present to women. Researchers gathered data, published a discussion paper and held a workshop on technologies and women's learning. Results were integrated into a discussion paper outlining trends, issues and areas for further exploration. This paper provided the background for a workshop in the spring of 1997 that brought together about 100 representatives from women's literacy and adult education organizations, unions, industry and government.

256. The federal government is also committed to supporting and encouraging Canadian students (particularly women) to achieve excellence in science, technology, engineering and mathematics, and to choose careers in science. In 1996, women accounted for 34 percent of all university science and technology graduates in Canada, up from 28 percent a decade earlier. Studies in the early 1990s identified many of the obstacles to the advancement of women in these careers and provided recommendations for action.

257. Federal and private sector funding was announced in 1996 for the creation of five Chairs for Women in Science and Engineering at different Canadian universities across the country. The Chairs encourage female students in elementary and secondary schools to consider careers in science or engineering, and promote the integration of women students in universities.

Article 10(e): The Same Opportunities for Adult and Functional Literacy Programs

258. The National Literacy Secretariat (NLS) works to ensure that Canadians have opportunities to develop the literacy skills they need to manage everyday life. NLS supports projects in five mandated areas of activity: the development of learning materials; public awareness; literacy research; improved coordination and information sharing; and improved access to literacy programs. Within the scope of this mandate, the Secretariat supports projects that facilitate the involvement of women in literacy programs. Some examples of such projects, from 1995 to the present, include the following:

- The Montréal YM/YWCA was funded to research and develop a bilingual literacy program designed for women learners.
- The Canadian Congress for Learning Opportunities for Women received support for a project to research and assess the relative merits of different approaches to serving women's needs in a literacy program. It is conducting research into the effects of abuse on literacy learners and is examining ways of creating more appropriate learning practices for abuse survivors.
- The Regina Chapter of Immigrant Women of Saskatchewan received funding to research and develop a literacy entrepreneurial skills program model and curriculum for immigrant women.
- The Women's Network Inc. of Prince Edward Island will prepare health education materials in plain language for adult learners, health education curriculum for adult educators and a plain language resource guide to health information for adult learners.
- Le Réseau national d'action-éducation femmes will develop and produce literacy exercise booklets which target the needs of Francophone women. The booklets will be distributed to practitioners in the Francophone community across the country for integration into their literacy programs.
- The Edmonton John Howard Society received support for the research phase of a project to determine the effectiveness of literacy and life skills integration programs for women in conflict with the law.
- The Canadian African Women's Organization received support to develop literacy activities designed to encourage women from Africa and the Middle East to acquire the skills they need to deal with their social and economic marginalization.
- The Provincial Association Against Family Violence in Newfoundland received support to develop and hold a series of family literacy workshops for mothers who are, or who have been, residents of transition houses. The workshops demonstrated ways in which mothers can help their children develop literacy skills. A tutor-training guide and a program model were developed for women interested in setting up family reading circles in their own communities.

Support to Civil Society

259. The Government of Canada has provided support to a range of NGOs to undertake initiatives in the area of education and training. This includes the following:

- The Women Inventors Project Inc. conducted a series of workshops for women with children and leaders in NGOs, and a public awareness campaign to increase knowledge and understanding about why activities and careers in science, technology, engineering and mathematics are important for girls and young women.

- Les Scientifines piloted a project involving girls aged 9-12 from five schools in Montréal, along with their mothers and teachers, in order to stimulate interest in non-traditional occupations and careers in science and technology.

- In Saskatchewan, funding was provided in support of a conference entitled "Women and Other Faces in Science," and an affiliated project entitled "A Day of Science for Girls." This multi-component project also included an essay contest for girls and a video production of the conference.

- Working for Women in Saskatoon Inc. received funding for the development of a FreeNet workshop to help women access the information highway in order to enhance their marketability in a changing workplace and to promote their economic autonomy.

- The Réseau-Femmes Colombie-Britannique is working with the newly created Francophone School Board of British Columbia to develop a gender sensitive French language education system. The School Board will submit to its Board of Trustees a policy that will commit its teaching methods to those described in the guide.

- In Québec, funding was provided in 1998-99 to the Centre d'intégration au marché de l'emploi for a project promoting education in non-traditional, science and technology areas for women. Workshops will serve to sensitize up to 2,000 young women in the Estrie region, and also reach guidance counsellors, teachers and parent associations.

International Activities

260. At the UN Working Group on Indigenous Populations (WGIP) at Geneva in July 1998, three Aboriginal women teachers from Canada, as members of Canada's official delegation, organized and hosted a workshop on indigenous education and training, with financial and policy support from the Department of Foreign Affairs and International Trade (DFAIT). The Canadian workshop supported the designated theme of education for the 1998 WGIP, as one of the principal themes of the International Decade of the World's Indigenous People.

261. DFAIT coordinates the Youth International Internship Program (YIIP) which is designed to provide youth with career-related internationally focused work experience. Since 1997, women have comprised 55 percent of the participants in the program. The program has placed hundreds of women, including young Aboriginal and visible minority women, from across Canada in international training and intern positions in multilateral, regional,

private and public sector organizations around the world. The selection criteria focus particular attention on recruitment of women and Aboriginal and visible minority youth. The program also placed interns with organizations working on indigenous and ethnic issues.

262. One of the guiding principles of the Canadian International Development Agency (CIDA) is to promote the equal participation of women as agents of change in economic, social and political processes as an essential component in achieving gender equality. One example of such a project is CIDA's support for the Training Fund for Tanzanian Women Project which aims to increase the number of qualified women capable of assuming responsibility and decision making in the public, private and NGO sectors in Tanzania.

Article 11: Employment

263. One of Canada's objectives outlined in *The Federal Plan for Gender Equality* is to improve women's economic autonomy and well-being. The federal government has undertaken a number of measures to this end, including areas reported under other articles within this report, such as improved education and training opportunities (Article 10), support for women entrepreneurs (Article 13) and strengthened child support (Article 16).

264. Statistics Canada's Survey of Labour and Income Dynamics is a longitudinal survey of individual and family incomes. It provides a basis for the study of the dynamics of low income through time. Studies have shown the extent to which families and individuals move into, and out of, low income and the extent to which these movements are the result of changes in family composition (e.g., separation or divorce) and changes in income sources (e.g., earnings).

265. Using longitudinal income tax data, Statistics Canada has published studies showing the differential impact of family dissolution on men and women, both for families with children at the time of family breakdown and for those without.

266. Other measures taken by the government include the following.

Recognition for Unpaid Work

267. Each year, Canadians spend as much or more time on unpaid work as they do on their jobs. Women, on average, spend five full-time weeks a year more on unpaid work than men. Unpaid work — from making meals to caring for children or the elderly, or volunteering in the community — comprises essential tasks that individuals, families and society at large could not do without. It is increasingly evident that women's responsibilities for unpaid work create barriers to their participation in, and progress through, the paid labour force.

268. The government has taken a number of measures to raise awareness and stimulate public policy discussion on the issue. For example:

- The 1996 Census included questions on unpaid household work, child care and elder care for the first time in Canada's history.
- Statistics Canada is continuing its program of time use surveys, the most recent of which was conducted in 1998. Time use surveys generate data on a wider range of unpaid work activities than are available from the Census and can be used to update the information collected in the Census. Time use surveys in the future will be based on larger samples allowing for more detailed analysis.
- In 1997, Statistics Canada conducted another survey of volunteer work that examined, in detail, this important dimension of unpaid work.
- Statistics Canada has been a pioneer in the development of measures of the value of unpaid work. The Department is creating an accounting system analogous to the System of National Accounts (measures such as the gross domestic product) to facilitate the comparison of the value of the output of the non-market sector with conventional national accounting statistics.
- Released in 1997, Economic Gender Equality Indicators is a new tool for measuring women's economic status and progress. This set of benchmarks — a joint federal–provincial/territorial initiative — transcends traditional measures and reflects factors such as unpaid work, education and job-related training.
- The government sponsored an international symposium on gender equality indicators in March 1998 as a way to stimulate public policy discussion on indicators and contribute to international work in this area.
- Unpaid work has been identified as a specific priority for SWC's Policy Research Fund (PRF). A notable recent contribution under this theme is a study entitled *Unpaid Work and Macro Economics: New Discussions and New Tools for Action*. A considerable amount of other PRF research addresses unpaid work issues in examining child care, elder care and public service delivery issues. An example is *Benefiting Canada's Children: Perspectives on Gender and Social Responsibility*.
- Research in other departments exploring the dynamics of unpaid work in our society, its contributions and its relevance to the development of labour market policy is also being undertaken, including a work arrangements survey to explore the extent and use of various alternative work arrangements.

- Funding has been provided to a number of women's NGOs to study and promote awareness of the policy implications of unpaid work. One important product has been the development of *When Women Count: A Resource Manual on Unpaid Work.*

- A House of Commons committee was struck to examine issues related to the treatment of families with dependent children in the tax and transfer system. It heard witnesses from across the country and has reported a number of recommendations to be considered by the Finance Committee and the government that could provide enhanced assistance for families to meet their income and care requirements.

Recognition for Unpaid Caregiving

269. The government has taken a number of steps to recognize unpaid work — most of it done by women — related to caring for children, elderly and disabled family members.

270. The government also recognizes that the economic welfare of women and children are inextricably linked. Child welfare — particularly child poverty — is a priority for the government.

271. Federal, provincial and territorial governments are developing the National Children's Agenda, a comprehensive and long-term strategy for improving children's well-being. Representatives from the five national Aboriginal organizations participate in the Aboriginal Perspectives sub-group of the National Children's Agenda Federal–Provincial/Territorial Working Group. The Agenda will act as a focal point for collaboration across sectors (e.g., health, social services, justice, education) and will build on efforts already under way by non-governmental organizations and business.

272. The $6 billion Canada Child Tax Benefit was introduced in 1997 to help low-income families and families on social assistance, many of whom are lone-parent families headed by women. The initiative enables provincial governments to invest more in services and supports, such as child care, dental and drug plans, and nutrition programs.

273. The 1998 federal budget announced that the tax system would provide a better financial break for child care expenses. The Child Care Expense Deduction increased from $5,000 to $7,000 for children under age 7, and from $3,000 to $4,000 for children aged 7-16.

274. The 1998 budget acknowledged the significance of unpaid work in the home with a new caregiver tax credit. The credit gives Canadians a tax break of up to $400 for producing care and support for elderly or disabled family members. Since women outnumber men at a 3:2 ratio in caring for people with long-term health problems, the credit will benefit them most.

275. Expenses related to care for a person who has limited means of self-care are now exempt from the Goods and Services Tax (GST) and Harmonized Sales Tax (HST).

Article 11.1(b): Right to Same Employment Opportunities

276. Status of Women Canada provided financial support for the DisAbled Women's Network (DAWN) to carry out an action research employment project. DAWN prepared a comprehensive employment workbook filled with experiences of job readiness and job searching for women with disabilities. It also contained examples of successful employer programs that may be adapted and promoted, and recommendations and strategies to assist women with disabilities to access mainstream employment programs. The workbook has been very well received by both employers and potential employers of women with disabilities, and by women with disabilities themselves. Due to an overwhelming demand for this employment tool, over 1,500 French and English copies in print and alternative format have been distributed to women with disabilities, employers and employment counsellors, and it is now also available on DAWN's website.

277. In September 1997, the federal government signed an agreement with the Native Women's Association of Canada to provide funding of $6.6 million under the Urban Aboriginal Employment Initiative until March 31, 1999. The agreement represents the first time Aboriginal women have had the opportunity to determine labour market programming and intervention for Aboriginal women on this scale. The Native Women's Association of Canada works closely with other partners, such as the provinces/territories, the private sector and non-profit organizations, to provide the tools Aboriginal women need for themselves and their families to become self-sufficient. For example, one project is the work of the Bay of Islands Native Women's Association in Benoit's Cove, Newfoundland. Aboriginal women were trained as home support workers through the local Victorian Order of Nurses.

278. Data from the 1996 Census indicate that immigrant women who arrived between 1961 and 1970 have a lower unemployment rate than non-immigrant women. Women who arrived between 1971 and 1980 have an unemployment rate similar to non-immigrant women. Women who arrived from 1981 to 1996 have a higher unemployment rate than non-immigrant women. With respect to participation rates, immigrant women who arrived between 1971 and 1980 have a higher participation rate than non-immigrant women. Immigrant women who arrived between 1981 and 1985 have a participation rate almost the same as non-immigrant women, as do those who arrived between 1961 and 1970. The participation rate is lower among more recent arrivals (1991-96) which could be the result of a number of factors including the recession of the early 1990s, language and other integration issues.

279. Immigrant women make a considerable contribution, both paid and unpaid, to the economic well-being of their families. Once immigrated, the financial security of

immigrant families depends on the labour force participation of both spouses. In many key source countries and regions (e.g., Hong Kong and Southeast Asia), two-income earner families are the norm. *Building on a Strong Foundation for the 21st Century*, a public document produced by Citizenship and Immigration Canada, lays out new directions for immigration and refugee policy, and states that further research will be undertaken to determine how a new selection system might take into account the potential for the social and economic contribution of spouses. This is an acknowledgment that the often "invisible" contribution of spouses (mostly women) needs to be recognized in the immigrant selection system.

Article 11.1(d): Right to Equal Pay

280. Pay equity requires that occupations of equal value receive the same wages (equal pay for work of equal value). Aside from employment equity programs, pay equity legislation (and settlements) remains one of the main measures to address the wage gap. Complaints-based enforcement of most pay equity legislation and a narrow interpretation of equivalent value have slowed progress in addressing the wage gap.

281. Section 11 of the *Canadian Human Rights Act* (CHRA), introduced in March 1978, requires employers under federal jurisdiction to pay men and women workers equal pay for work of equal value. The CHRA covers employees of the federal government, Crown corporations and private companies under federal jurisdiction, such as banks and Bell Canada, regardless of the size of their work force. In 1986, equal wage guidelines were introduced which prescribe factors to be used in interpreting s. 11. For instance, this includes a list of exemptions that justify the payment of a different wage in cases involving different performance appraisals, seniority, demotion, training assignments and internal labour shortages.

282. The Canadian Human Rights Commission (CHRC) has the authority under the CHRA to bring a complaint, given reasonable grounds; it can also receive pay equity complaints, investigate, settle, dismiss or refer a complaint to a tribunal. Enforcement of federal equal pay legislation remains reactive and relies on complaints and investigations rather than on mandatory timetables. Employers are not obliged to bargain pay equity with unions.

283. On October 29, 1999, an agreement was reached between the Treasury Board Secretariat and the Public Service Alliance of Canada on the implementation of the July 1998 Canadian Human Rights Tribunal ruling on pay equity. This agreement followed a Federal Court of Canada decision that resolved a long-standing debate on the interpretation of s. 11 of the CHRA.

284. The *Canada Labour Code*, Part III, s. 182, empowers Human Resources Development Canada (HRDC) to monitor implementation of pay equity in the federally regulated, non-governmental sector (i.e., transportation, banking, communications, some Crown

corporations), covering over 700,000 employees. Officials from HRDC's Equal Pay Division work with employers and provide training to ensure compliance with s. 11. Employers who fail to implement a pay equity plan may be referred to the CHRC. Since 1986, 1,300 employers have been contacted, and 76 percent have started to address pay equity.

Article 11.1(e): Right to Pension and Social Security Benefits

Support for Older Women

285. The government recognizes that public pensions have been essential in reducing poverty among older women.

286. The Canada Pension Plan (CPP) reflects this understanding through such means as the child-rearing drop-out provision, credit splitting and full indexation of benefits. These features recognize that women's patterns of unpaid work, employment, unemployment and remuneration are significantly different from those of men.

287. These features were maintained during pension revisions and included rate increases to ensure the CPP's financial sustainability. They are being examined in a second stage of the review to ensure that the CPP continues to meet the needs of Canadians.

288. The other key parts of Canada's retirement income system, the Old Age Security (OAS) program, the Guaranteed Income Supplement (GIS) and the Spouses Allowance (SPA), have also been maintained. The GIS and SPA provide assistance to those with little or no other retirement income, and are particularly important for women, who comprise 65 percent of GIS recipients and 91 percent of SPA recipients.

A New Employment Insurance System

289. The Canadian Employment Insurance (EI) system provides temporary income supports to workers who become involuntarily unemployed. Special benefits, such as maternity, parental and sickness support, are provided, as well as measures to assist unemployed Canadians to re-enter the paid work force.

290. The reforms of the EI system introduced in July 1996 and January 1997 were the most fundamental restructuring of the Unemployment Insurance Program in 25 years. In conducting a gender-based analysis (GBA) of the reforms, it was recognized that any measures would have a differential impact on women and men because of their different social, economic and familial realities. Women earn less than men on average and are over-represented in the contingency work force through part-time employment, multiple jobs and low-paying jobs. They comprise the majority of lone-parent families, and carry the main share of family responsibilities and unpaid work.

291. These reforms included providing means to assist women in overcoming barriers to employment through targeted employment benefits, and child care and income supports. The broader eligibility requirements for benefits will enable women who find it difficult to re-enter the work force to access assistance. For example, women who left the paid labour force for maternity or parental leave in the last five years will be eligible for active employment benefits.

292. By serving as replacement income, maternity and parental benefits provided under the *Employment Insurance Act* enable women and men to take temporary leave from work during the period immediately surrounding the birth of a child, and during the early months after birth or adoption. The system provides 15 weeks of maternity benefits to biological mothers, during the period surrounding childbirth, and 10 weeks of parental benefits to both adoptive and biological parents for child care purposes. Parental benefits are payable to either parent or can be shared between them with an extra five weeks of benefits, should the child require special care.

293. About two thirds (67 percent) of new claimants receiving the Family Income Supplement (FIS) are women. The FIS is intended to target claimants in need. It is a family supplement for claimants in low-income families with dependent children based on net family income. To qualify, claimants must receive the Child Tax Benefit, which indicates they have at least one dependent child and have a net family income of $25,921 or less.

Article 11.1(f): Occupational Health and Safety

294. Proposed changes to Part II of the *Canada Labour Code*, designed to improve occupational health and safety in the workplace, are before the House of Commons. A new provision would allow a pregnant or nursing employee to withdraw from work or be given other tasks, even before she obtains a medical certificate, if she believes the job will adversely affect her, her fetus or the child she is breastfeeding. The revisions will also extend the responsibilities of employers and employees to monitor and resolve workplace health and safety issues jointly.

Article 11.2(c): Child Care

295. The Government of Canada's activities with respect to child care include research and funding.

296. One such activity was a comprehensive study of human resource issues in child care. This in-depth sector study entitled, "Our Child Care Workforce: From Recognition to Remuneration," examines the child care work force, its wages, benefit levels, working conditions, and training and career opportunities in a full range of settings such as child care centres and nursery schools, as well as home-based care. The study was funded

through the Sectoral Partnerships Initiative, which is designed to bring together partners in a sector to analyze human resource issues and to develop a plan of action. A committee is now examining ways to act on the study recommendations.

297. Child Care Visions was created in 1995 as a national child care research and development contributions initiative to support projects that will study the adequacy, outcomes and cost-effectiveness of the best child care practices and service delivery models that currently exist.

298. Funds have been invested to create 4,800 new child care spaces, and enhance a further 2,900 spaces, on First Nations reserves and in Inuit communities. This programming is designed and delivered by First Nations and Inuit child care centres at the local level, with good results.

Funding Women's Equality Organizations

299. Women's equality organizations play a very important role in raising public awareness and increasing public understanding.

300. The Government of Canada provides financial support for projects undertaken by women's and other equality seeking organizations aimed at addressing women's economic equality. The following are some examples of these projects:

- the Manitoba Farm Women's Conference — an annual provincial farm women's conference and follow-up evaluation
- the New Brunswick Women's Intercultural Network — an activity entitled "Steps Towards Economic Self-Sufficiency," which identified and addressed the various systemic barriers to economic participation faced by immigrant and visible minority women in New Brunswick
- the Nova Scotia Women's Fishnet — to facilitate a community development process aimed at increasing women's ability to participate in all aspects of decision making concerning the fishery and their local communities

301. Two grants from Status of Women Canada (SWC) in 1995-96 and 1996-97 enabled Kootenay WITT (Women in Trades, Technology, Operations and Blue Collar Work) to achieve a number of significant outcomes related to women's participation in British Columbia's economic development. These include:

- Three members of the eighteen-member Advisory Committee of the Columbia Basin Trust (a regional benefit program to address the environmental damage caused by the 1964 Columbia River Treaty between Canada and the United States) are women's equality advocates. One seat has been specifically reserved for a women's equality representative.

- Equity integration committees have been established under the Science Council of British Columbia, the Columbia Basin Trust and the Island Highway Infrastructure Project to address equity issues on an ongoing basis.

- A formalized commitment was achieved in the Columbia Basin Trust Management Plan to create equitable outcomes for traditionally disadvantaged groups in all development and construction projects administered by the Trust.

302. These outcomes were accomplished by Kootenay WITT working in partnership with other local WITT groups and groups representing First Nations peoples, visible minorities and persons with disabilities to secure the representation of women's equality advocates at a number of key negotiations and consultations affecting trade and technology workers. Once representation was secured, advocates worked to ensure that a gender-based analysis was incorporated into all agreements and practices relating to hiring, training and promotion of trade and technology workers.

303. SWC also contributed funding to the production by the Canadian Bar Association of *Equality for Women in the Legal Profession: A Facilitator's Manual*. This publication is a tool designed to: encourage action on women's equality issues in the legal profession; promote action by legal institutions to incorporate women's equality issues in decision-making structures, policies and programs; and promote equality, diversity and accountability within the legal and other professions. As a result of the use of this tool, a number of policies and procedures in the law societies of various provinces and territories have been changed or are under review. In addition, the Manual has been used by organizations representing the profession of engineering.

Research on Women's Poverty

304. The Government of Canada has provided financial support for gender-based policy research in the area of women's poverty. Through SWC's Policy Research Fund, a number of research projects have been supported which examine the issue of women's poverty.

305. Statistics Canada continues to produce reports on male–female earnings gaps. As well, most income-related outputs include data for men and women separately, where this is appropriate. Further, there is a great deal of emphasis on female lone-parent families in the analyses when results on low income or income distribution are released.

Article 12: Health

Article 12.1: Access to Health Care Services

306. Physical, emotional and social well-being at all stages of life are key to women's equality. While female life expectancy remains high in Canada, this positive indicator is offset by other realities, such as violence against women and quality of life issues.

307. Improving women's physical and psychological well-being is one of Canada's key objectives in *The Federal Plan for Gender Equality*.

308. The renewal of Canada's health system is a priority of the Government of Canada. Civil society and government representatives — federal, provincial and territorial — participated in three working conferences in early 1998 to examine home care, pharmacare and the health infrastructure. In its 1997 budget, the government announced the new $150 million Health Transition Fund. The Fund supports efforts by the provinces to evaluate their health care programs and undertake projects to improve the health care system. The fund focuses on four areas — home care, pharmacare, primary care reform and integrated service delivery — all areas of particular relevance to women.

309. In the 1998 budget, the federal government allocated $350 million for an Aboriginal healing strategy and $126 million for new and expanded Aboriginal programs. In 1999, the federal budget allocated additional funds to strengthen Aboriginal communities by improving First Nations and Inuit health services, and providing increased funding for home and community care to northern and Aboriginal women.

310. On March 8, 1999, the Minister of Health launched Health Canada's Women's Health Strategy, a framework to guide Health Canada in addressing biases and inequities in the health system. To meet its goal, the Strategy is organized around four main objectives:

- to ensure that Health Canada's policies and programs are responsive to sex and gender differences and to women's health needs
- to increase knowledge and understanding of women's health and health needs
- to support the provision of effective health services to women
- to promote good health through preventive measures and the reduction of risk factors that most imperil the health of women

311. In 1996, the Government of Canada established the Centres of Excellence for Women's Health Program. The five research centres are mandated over six years to conduct policy-oriented research on women's health. Through focus groups, women identified

health issues that were important to them. Along with focusing on projects that research and promote the empowerment of women, each Centre is a partnership between academic and community-based groups, thus directly promoting the effectiveness of local communities, where many health services are provided. As part of the Program, the non-governmental Canadian Women's Health Network is funded by the federal government to disseminate information on women's health, including new knowledge generated by the Centres, and to foster critical debate.

312. The National Coordinating Group on the Impact of Health Care Reform on Women, representing the five Centres of Excellence for Women's Health and the Canadian Women's Health Network, has begun to document how health care reforms, particularly in the area of privatization, have been implemented in the various regions of Canada. The goal is to ensure that there are ongoing strategies for documenting, researching and monitoring health care reform and its implications for women. The Coordinating Group is focusing on the effects of these reforms on women as health care users and providers (paid and unpaid). The group is especially concerned with ensuring that there are ongoing strategies for documenting and monitoring health reform, and its implications for women.

313. In order to respond to proposed changes to Canada's health protection legislation, the Working Group on Women and Health Protection has been funded by the Centres of Excellence for Women's Health Program. The Group will undertake activities to inform the health protection transition process in areas such as the "medicalization" of women's lives, the drug approval process, reproductive and genetic technologies, and confidentiality and privacy issues.

314. The Research Centres on Family Violence and Violence Against Women were selected in 1991 to establish a sustainable capacity to conduct research on family violence and violence against women. (Funding was provided by the Social Sciences and Humanities Research Council, a federal granting council, and the Family Violence Initiative, an initiative of the federal government.) The Centres incorporate the expertise of front-line organizations, provincial partners and academics. There are five Research Centres across Canada. Partnerships between front-line and academic members are fundamental to the Centres. A process that is mutually respectful lies at the core of their success. Critical to their cohesion is a participatory action research approach, in which the front-line community defines the research question and helps to design the methodology, and then directs, carries out and analyzes the research. Results are then applied in the community. The Research Centres include health care providers on their research teams who are beginning to conduct research on links between violence and health.

315. The experience of family violence, including physical, sexual, emotional and financial abuse, underlies many health problems. Among the negative health outcomes of exposure to family violence are life-threatening injuries, death, mental and sexual/reproductive health problems, and substance abuse and eating disorders. Women, children and older

adults are most likely to sustain injury. From a population health perspective, family violence victims are disadvantaged in relation to income, education and social supports — all determinants of health. Preliminary partial estimates place the annual health costs to Canada of violence against women alone at $1.5 billion. These health outcomes cannot be addressed without making the link to family violence.

316. In the last decade, Health Canada has developed screening tools for professionals and university curriculum content on family violence, and has funded parenting programs that address family violence prevention. Its Laboratory Centre for Disease Control (LCDC) has undertaken surveillance and developed guidelines on sexually transmitted diseases in children and youth. LCDC collects national sex-disaggregated data on reported child abuse and neglect. In partnership with other departments, Health Canada addresses family violence in Aboriginal populations. Since 1997, Health Canada has used its resources to broaden awareness, increase sensitivity and develop knowledge among health care providers so they can prevent, detect and respond appropriately to family violence. It also supports research to influence policy makers, provinces/territories and the corporate sector to address the issue. Family violence initiatives that focus on violence as a health issue are intended to increase the opportunity for individuals and population groups to lead healthy physical and mental lives and reduce physical and mental health service costs.

317. The first Canada–United States Forum on Women's Health was held in Canada in 1996. This ground-breaking event brought together 300 researchers, health professionals, academics and representatives of voluntary and community organizations to exchange perspectives on women's health issues. Delegates examined a range of health concerns common to women in both countries, including breast cancer, smoking, stress, violence against women and health care service delivery.

318. The inclusion of a gender breakdown in the National Population Health Survey, released in 1996, has generated important information for understanding the incidence of depression, chronic pain and mental health problems among women in Canada and has shed light on the social and economic determinants of health.

319. While the incidence of breast cancer has risen steadily over the last decade, mortality rates have remained relatively stable. Decreasing breast cancer mortality rates among certain age groups have been attributed to screening and improved treatment.

320. In 1993, the federal government initiated the Canadian Breast Cancer Initiative (CBCI). In June 1998, the CBCI was renewed with stable, ongoing funding of $7 million per year for research, prevention, early detection, quality screening, support to community groups and networks, access to information, public and professional education, diagnosis, care and treatment, and surveillance and monitoring of breast cancer. A key objective is the continued support and coordination of provincial breast cancer screening activities.

321. Previously, women in Canada had been excluded from clinical research trials of new drugs, medical devices and therapies on the grounds of their inconstant hormonal state (compared to men) and researcher liability in the event of pregnancy and subsequent birth defects. In 1996, following consultations with the medical research community, and health advocacy and women's organizations, the government stipulated that manufacturers applying to Health Canada for market approval of drugs had to include women in their clinical trials in the same proportion as they are likely to use the drugs.

322. In the period 1994-97, the federal government allocated $104 million to the Tobacco Demand Reduction Strategy. During that time, many resources were developed for girls and women. The government has now allocated $100 million over five years under the Tobacco Control Initiative. Five broad target groups, including women, were identified. This Initiative builds on lessons learned from past strategies and strengthens legislation, regulations, enforcement, and research and public education activities.

323. Canadian women are increasingly becoming infected with HIV, especially those who use injection drugs and whose sexual partners are at increased risk for HIV. In addition, the proportion of AIDS cases among women has increased over time. In 1998, the federal government renewed the National AIDS Strategy with ongoing funding of $42.2 million annually. Women are identified as a priority group under the renewed Strategy. Collaborative studies, conferences, community initiatives and education projects that meet the specific needs of women are supported.

324. In 1997, the federal government passed legislation amending the *Criminal Code* to specifically prohibit the practice of female genital mutilation (FGM). A workshop module was developed, to be used in community workshops across Canada, to help educate community members about the health, legal and social/cultural aspects of FGM. The government is also working with health care providers and educators to provide effective and sensitive responses to girls and women affected by FGM.

325. With the 1997 federal election call, Bill C-47, a bill to create the Human Reproductive and Genetic Technologies Act, failed to complete the legislative process. The voluntary moratorium on the application of nine reproductive and genetic technologies to humans (e.g., sex selection for non-medical purposes, cloning of embryos, embryo research), declared by Health Canada in July 1995, remains in place. Having consulted with the public, medical professionals and other stakeholders, the federal government will be introducing a comprehensive legislative and regulatory framework in the near future.

326. Canada Mortgage and Housing Corporation (CMHC) is collaborating with First Nations, the Department of Indian Affairs and Northern Development, Health Canada and northern partners to develop five housing demonstration projects on healthy housing. The objectives are to establish house designs that meet the lifestyle needs and climate requirements of First Nations communities in the North. The project will demonstrate

housing that is healthy and affordable, while using much less water and energy than current on-reserve housing. Information is also being distributed on indoor air quality and other housing-related health issues.

Article 12.2: Appropriate Services in Connection with Pregnancy

327. In 1999, the government announced an expansion of Health Canada's Canada Prenatal Nutrition Program. The Program aims to improve the health of high-risk pregnant women and the subsequent birth outcomes with a focus on nutrition, breastfeeding, education and support for the first year of life.

328. The Medical Services Branch of Health Canada is responsible for the delivery of health programs and services to First Nations peoples and the Inuit. Increasingly, Health Canada is moving away from the provision of health services toward First Nations and Inuit control and ownership of their health programs and resources. Aboriginal self-government is one of the federal government's highest priorities.

329. There are several examples of initiatives in this area of particular relevance to Aboriginal women and girls. For example, the Aboriginal component of the national Child Development Initiative (Brighter Futures) helps First Nations and Inuit communities develop mental health and child development programs that are community based and managed. Such programs help improve parenting skills, prevent childhood injury, develop youth activities and community mental health programs, and address the problem of solvent abuse.

330. As part of the Canada Prenatal Nutrition Program, Health Canada, in consultation with First Nations and Inuit communities, has produced versions of *Building Healthy Babies: A Prenatal Nutrition Resource Book* for each cultural group. While infant mortality among First Nations and Inuit people is still higher than among other Canadian groups, the rate has dropped dramatically. The First Nations and Inuit Health Programs Directorate (within the Medical Services Branch of Health Canada) funded a video on breast cancer detection among Aboriginal women, and is working with Aboriginal organizations to make existing screening features available to all communities. Another area of research into the health needs of Aboriginal women has been projects on the risk factors of HIV/AIDS.

331. The First Nations and Inuit Health Programs Directorate successfully collaborated with the Society of Obstetricians and Gynaecologists of Canada to set up the Aboriginal Women's Committee, which has held workshops and information sessions to educate the Society's members on the needs of Aboriginal women.

332. In October 1998, the Minister of Health announced the expansion of the Aboriginal Head Start Program to First Nations children and their families living on-reserve. Funding for

the Program has been set at $100 million over four years. This complements the Aboriginal Head Start Initiative launched in 1995 to help enhance child development and school readiness of First Nation, Métis and Inuit children living in urban centres and large northern communities. As women are pivotal to the health of families and communities, they will play a key role in the Aboriginal Head Start Program.

Civil Society

333. Health Canada is committed to increasing the role of civil society in policy and program development. For example, Phase III of the National AIDS Strategy (1998 and ongoing) was planned following extensive consultations with NGOs and members of the public, including women living with HIV/AIDS.

334. The Government of Canada has also provided funding support for activities undertaken by women's organizations and other NGOs aimed at addressing the issue of women's health and well-being. Examples of funded initiatives follow.

335. In 1996-97, funding was provided to the Aboriginal Nurses Association of Canada in support of an activity entitled "Health Care Reform and the Team Approach in First Nations." This two-day educational program explored approaches and strategies relevant to community health planning, women's health and partnership building. It also involved site visits to seven Aboriginal communities to discuss community health plans in action. This was followed by the adoption of resolutions and an action plan by members of this organization, as part of its annual general meeting.

336. In 1997-98, funding was provided to the Réseau québecois d'action pour la santé des femmes in support of an initiative to promote the participation of women in the development of policies and programs aimed at better responding to women's health needs.

337. Multi-year funding (1998-99, 1999-2000, 2000-01) is being provided in Alberta to Multicultural Health Brokers for Advancing Minority Women's Health and Well-Being — An Intersectoral Program and Policy Development Initiative. The aim is to increase access by marginalized minority women to, and participation in, decision making about culturally appropriate health and social services. Outcomes will include the development of guiding principles, practice standards and policies on the creation of meaningful relationships between immigrant and refugee women and families, and institutions.

338. Funding was provided to the Kinap'eskw Consulting Group through SWC's Policy Research Fund for a research project entitled, Health Issues for Aboriginal Women in Urban Centres in the Maritime Provinces. This project will focus on the economic impact of women living in urban centres in the Maritimes. Using talking circles, the leadership

will investigate the overall health concerns of urban Aboriginal women, identify gaps in health care policy and establish a database.

International Activities

339. At the UN Working Group on Indigenous Populations (WGIP) at Geneva in July 1997, Canadian Aboriginal health experts hosted a joint Canada/World Health Organization (WHO) workshop on substance abuse and healing, at which Aboriginal women played a major role in focusing on the special health concerns of indigenous women. This workshop was organized with financial and policy support from the Department of Foreign Affairs and International Trade (DFAIT), and supported the designated theme of health for the 1997 WGIP, as one of the principal themes of the International Decade of the World's Indigenous People.

340. As part of Canadian preparations for the UN General Assembly Special Session in June 1999 to review the International Conference on Population and Development/Program of Action (ICPD+5), Health Canada, in collaboration with DFAIT and the Department of Indian Affairs and Northern Development (DIAND), provided support to the Aboriginal Nurses Association of Canada to host the Aboriginal Roundtable on Sexual and Reproductive Health. The Roundtable was intended, as a first step, to identify, in partnership with Aboriginal people, sexual and reproductive health concerns for Aboriginal women in particular, and to develop joint strategies for addressing these concerns. The results of the Roundtable were distributed in the form of a report at the Special Session.

341. CIDA has made women's health and reproductive health a top priority. In Bangladesh, Canada has supported the capacity building of the Ministry of Health and Family Welfare to improve reproductive health and family service delivery. In Africa, Canada continues to support NGOs working to raise awareness of the harmful consequences of such customs as FGM, and to increase awareness among both men and women of the importance of AIDS prevention.

Article 13: Economic and Social Life

342. Extensive discussion of federal measures regarding the economic condition of women is also found under articles 11 and 16.

343. In 1996, the federal government consolidated existing federal–provincial transfer programs into the Canada Health and Social Transfer (CHST). The CHST is a block grant to provinces to support health, post-secondary education, social services and social assistance programs. Many of the programs funded under the CHST, including child care subsidies for low-income mothers, counselling and support services, rape crisis centres and shelters, are of particular importance to women. The new CHST was introduced to

give the provinces greater flexibility in the design and delivery of programs. The CHST legislation states that: the principles/conditions of the *Canada Health Act* will be maintained; no period of minimum residency shall be required or allowed with respect to social assistance; and the federal government should invite the provinces to consult and work together to develop, through mutual consent, a set of shared principles and objectives for social programs other than health. The 1998 budget raised the cash floor of the CHST from $11 billion to $12.5 billion. As women are the primary users and providers of health care in Canada, the increase in federal transfers and equalization payments, and other initiatives to support health care, will allow each province and territory to be more responsive to the needs of women across the country.

344. The Aboriginal Women's Program is the primary source of federal funding to Aboriginal women's organizations for the purposes of improving their socioeconomic and political status. It enables Aboriginal women to advance their interests through the initiation of activities and projects that improve social conditions, cultural retention and preservation, economic well-being and leadership development, while maintaining cultural distinctiveness and preserving cultural identity.

345. Women entrepreneurs are changing the face of business in Canada. Firms headed by women are now creating more jobs than the largest 100 companies in Canada combined. A 1996 Bank of Montreal study found that women-led firms are creating new jobs at four times the rate of the average firm.

346. The government is encouraging this vital economic current with a number of initiatives aimed at two critical areas for women entrepreneurs — starting and expanding their businesses.

347. The Business Development Bank of Canada, a Crown corporation, provides loan assistance and counselling for business owners. It also offers seminars and conferences specifically designed for women in business.

348. STEP-IN and STEP-UP programs offer a 10-month training opportunity, counselling and mentoring to assist women who are starting or expanding their businesses. The programs are a partnership of the federal and provincial governments, and the private sector.

349. In 1998, a seminar on access to credit for women entrepreneurs was organized by Le Groupe conseil femmes-expertise, in cooperation with Canadian Heritage, Status of Women Canada and the Quebec Ministère de l'Industrie, du Commerce, de la Science et de la Technologie, in order to address entrepreneurship issues experienced by women. FedNor, the federal government's economic development initiative in Northern Ontario, also offers funding to support women entrepreneurs.

350. In 1998, FedNor supported a mission for Northern Ontario women entrepreneurs to Chicago. Since 1996, FedNor has consulted with a number of Aboriginal community organizations, including the Ontario Native Women's Association, in order to support Aboriginal business and economic development in the region.

351. Western Economic Diversification Canada supports women entrepreneurs in Western Canada. In 1996, there were approximately 275,000 self-employed women entrepreneurs (up 35 percent from 1991) mostly concentrated in personal and household services, and health and social services. Recognizing that entrepreneurship presents women with unique opportunities and challenges, Western Economic Diversification launched the Women's Enterprise Initiative in 1994, which makes loans available to women entrepreneurs. In 1996-97, the Initiative made 107 loans to women entrepreneurs, for a total of $2.3 million.

International Activities

352. DFAIT works actively to support women business owners. In June 1998, the Department launched the Businesswomen in Trade Website that allows women business owners to learn more about government services and how to export successfully. It also allows them to network online, learn about financing and insurance services, and locate foreign business opportunities. The site launch reached over 500 Canadian women.

353. The Trade Research Coalition, under the direction of 20 Canadian businesswomen, academics and government representatives, launched a major research project in September 1998. The project surveyed 254 women business owners, examining their export patterns and export service requirements. The results, contained in the document *Beyond Borders: Canadian Businesswomen in International Trade*, was launched to 1,500 businesswomen during a national video conference call on International Women's Day, March 8, 1999. The call joined nine sites across Canada, the United States, Argentina and the United Kingdom. Through this initiative, DFAIT identified and added 2,100 new businesswomen contacts to its database, and developed the first quantified documentation in Canada on the export activities and attitudes of this growing market sector. Following the release of the report and in conjunction with its partners, DFAIT coordinated and held extensive focus groups across the country. These focus groups helped to expand the awareness of *Beyond Borders* and brought forward concrete recommendations on how to improve the success of women-owned small- and medium-sized enterprises (SMEs) in foreign markets.

354. This research provided the main substance of the policy elements discussed at the Canada/U.S.A. Businesswomen's Trade Summit, in May 1999 in Toronto, which focused on women business owners. Participating in the Summit were 150 Canadian and 150 American businesswomen within SMEs. Participants were provided with an opportunity to discuss trade impediments between the two countries as experienced

particularly by businesswomen and researched by the Trade Research Coalition. New partnerships were formed through organized networking events.

355. Canada plays a lead role in advancing the interests of women in Asia-Pacific Economic Cooperation (APEC). Canada's goal is to ensure that APEC recognizes the specific realities of women's lives and systematically considers the implications of gender in its work. Canada was instrumental in the establishment of the Women Leaders' Network, an APEC-related body that has met annually since 1996. In 1997, during its year as chair of APEC, Canada successfully initiated the concept of the Ministerial Meeting on Women in APEC, which was held in the Philippines in October 1998 on the theme of Women in Economic Development and Co-operation in APEC. This was the first ministerial-level meeting on women in a multilateral trade-related organization.

356. The Government of Canada has also worked to fast-track Aboriginal businesswomen into the APEC trade environment. Before the Women's Leaders Network and the APEC trade ministerial meetings in June 1999, a three-day conference was organized to bring indigenous businesswomen together from each of the 21 APEC countries. The conference built awareness of the scope of APEC for Canadian Aboriginal businesswomen; provided them with an introduction to potential trading partners from 20 other countries; and built their knowledge of the APEC trade process and their opportunities for trade. Recommendations from the conference will also be conveyed to the APEC trade ministers concerning the requirements and importance of Aboriginal businesswomen.

357. In 1996, the Canadian International Development Agency (CIDA) provided seed funding for a new project, Gender and Economic Reforms in Africa. The project focuses on increasing the capacity of African research organizations and women's groups to research, analyze and influence economic policies from a gender perspective.

358. Through CIDA, a micro-credit program for rural women's groups involved in agricultural production/processing and fish farming in Cameroon has taught entrepreneurship to rural women and provided credit. In Colombia, the Calmeadow Foundation of Canada has provided training workshops and a revolving fund to assist micro-entrepreneurs in low-income communities. Women comprise 60 percent of the borrowers in this program, and their increased participation is being encouraged.

359. A key Canadian objective for the World Food Summit in 1996 was the integration of a gender perspective in all development and economic activities. Equal access to education, credit and the ownership of land is critical if women are to contribute fully to poverty reduction and food security.

Article 13(a): The Right to Family Benefits

360. Established in July 1998, the National Child Benefit (NCB) system is a federal–provincial-territorial initiative designed to support low-income families and reduce child poverty. The federal government provides increased income support to these families, through the Canada Child Tax Benefit (CCTB), while provinces/territories develop programs and services targeted to low-income, employed parents and their children. These programs and services include child care and health benefits. About half of NCB beneficiaries are lone-parent families headed by women. The 1999 federal budget proposes to build on the NCB by increasing the income threshold at which benefits start to be reduced from $25,921 to $29,590 at a cost of $300 million.

361. The goals of the initiative are to:

- help prevent and reduce the depth of child poverty
- promote parental attachment to the paid labour force
- reduce overlap and duplication between Canadian and provincial/territorial programs

362. Under the previous system, some families were actually worse off when parents increased their employment income and no longer received social assistance because they lost special types of income support, benefits such as dental care and other services for their children.

363. The NCB begins to address this situation, in part, by restructuring programs and services to ensure that all low-income families with children receive comparable income support, benefits and services. As families leave social assistance for paid employment, they continue to receive financial support to assist with their children and child-related costs of employment. Overall, income support to families on social assistance remains at least the same as it was before implementation of the NCB.

364. As federal funding for income support for families with children increases, provinces and territories have agreed that any savings realized will be re-invested in complementary programs to improve attachment to the paid labour force, and benefits and services for low-income families with children. Provinces and territories have announced innovative child benefit programs that reduce the gap between what social assistance recipients and employed parents receive, including income support programs, earned-income supplements and in-kind benefits (e.g., health/dental benefits) as well as child care and programs for families/children at risk. Given that there is substantial movement of many families between social assistance and employment, this will provide more security for all low-income families with children.

365. Aboriginal people living on reserves will also benefit from re-investment savings under the NCB, and work is under way to improve access of First Nations families to the CCTB.

Article 13(c): The Right to Participate in Recreational Activities, Sport and All Aspects of Cultural Life

366. The federal government is involved in a number of initiatives to increase women's participation in culture and sport. *The Federal Plan for Gender Equality* has, as an objective, the promotion of gender equality in all aspects of Canada's cultural life.

367. Sports Canada, in association with the Canadian Association for the Advancement of Women and Sport and Physical Activity, supports the Breakthrough Awards, a celebration of the accomplishments of Canadian women in sport. In 1998, the Breakthrough Awards joined with the Canadian Sport Awards and received significant media coverage.

368. Since 1996-97, national sport organizations have been required to specify certain levels for women's equality and access where female participation/representation is less than 40 percent, and they must have an approved harassment policy and procedures to receive federal support. The Canadian Hockey Association, through federal funding and in conjunction with the Red Cross Abuse Prevention Services program, has been developing harassment resource materials for clubs and sport organizations. One of these resources, the *Speak Out! . . . Act Now!* guide, was released in January 1998.

369. In conjunction with the 1998 Winter Olympics in Nagano, Japan, a series of vignettes were developed featuring Olympic and Paralympic athletes. Female athletes were featured in six of seven vignettes, with women's hockey featured in two more. The portrayal of women athletes in a major, nation-wide television campaign during the Olympic and Paralympic Games promoted successful female athletes as role models and leaders.

370. This decade, the federal government has focused on the commemoration of the contribution of women to Canadian history. Since 1995, 27 designations related to women have been made. These include: important events, such as the winning of the vote; important places, such as nurses' residences and the Women's College Hospital; important groups, including the Women's Christian Temperance Union; and important women, such as Emily Stowe, Margaret Newton and Edith J. Archibald. Every year, the National Library of Canada adds new components to its website profile of the contributions of Canadian women entitled "Celebrating Women's Achievements."

371. Museum exhibitions, events and other programming — both in the context of International Women's Day and Women's History Month, and as part of regular programs — also serve as important vehicles for making Canadians more aware of the historical role of women in the development of Canada. Exhibition highlights include those featuring women inventors and domestic life (National Museum of Science and

Technology), the Women in Aviation touring exhibition created by the National Aviation Museum, and an exhibition at the Canadian War Museum on the Canadian Women's Army Corps.

Article 14: Rural Women

Article 14.1: Economic Equity for Rural Women

372. In 1994, the Federal–Provincial-Territorial Ministers of Agriculture adopted a record of decision on the advancement of farm women, recognizing the essential role of farm women as economic partners for a prosperous agri-food industry. The ministers agreed to promote and support initiatives enabling farm women to participate, to a much greater extent, in policy and decision-making forums affecting the operation and development of the agricultural sector. Part of their commitment to advancing farm women in leadership and decision making was their agreement to meet with farm women leaders annually. Since 1994, the federal Minister of Agriculture holds annual business meetings with leaders of national farm women's organizations.

373. Agriculture and Agri-Food Canada (AAFC) monitors Canada's progress on the advancement of women in any decision making by inviting provincial ministers of agriculture to submit annual updates on any measures taken in their provinces to increase women's participation in policy and decision making or to ensure that more women are appointed to agencies, industry boards, commissions, etc. Responses are analyzed and a summary report distributed to the provinces as well as to farm women's organizations.

374. Through the Farm Women's Bureau, AAFC conducts regular meetings with national farm women leaders, as well as regular conference calls, to exchange information on priority issues and activities, and obtain their input in departmental work planning.

375. Since 1996, AAFC has continued to work toward implementing women's participation in departmental and industry consultations by monitoring participant lists, and providing names of farm and rural women participants to conference and consultations organizers.

376. To increase women's representation in decision-making forums, AAFC developed a national farm/rural women's talent bank for reference by senior officials when considering appointments to agricultural agencies, boards and commissions.

Article 14.2: Rural Development

377. In partnership with other departments, AAFC has provided funding to farm and rural women's groups through various departmental programs for projects related to issues of concern to women. This includes health and farm safety, rural child care, family violence, social, economic and legal rights for farm women and organizational development. It also includes the participation of farm and rural women at national and international conferences, including the 1995 Beijing World Conference on Women and, most recently, the Second International Women in Agriculture Conference in Washington, D.C.

378. Rural women were an integral part of the Canadian Rural Partnership initiative. In 1998-99, five of the ten Selection Advisory Committee members were women, thus ensuring a gender balance in the review of pilot project proposals. Approved pilot projects included a focus on rural women. In 1999-2000, a greater number of pilot projects that target women as the main focus are being recommended for consideration.

379. Women's groups were encouraged by the Rural Secretariat to participate in the Rural Dialogue. For example, in the summer of 1998, Women and Rural Economic Development organized its own workshop to ensure that women's issues were captured as part of that phase of the Dialogue. At the National Rural Workshop held in 1998, 50 percent of the participants were women. This Workshop was by invitation only, and a conscious decision was made to target 50 percent female representation. Since the Workshop, the focus of the Dialogue has been on conducting regional activities with efforts being made to include an equal representation of women.

380. Status of Women Canada (SWC) is a member of many of the rural teams across Canada, providing valuable advice with respect to ensuring that rural women's interests are considered for federal-led rural initiatives. The Rural Secretariat is in regular contact with the Farm Women's Bureau to keep farm women informed of rural initiatives and to invite their participation.

Article 15: Legal Rights

Article 15.1: Equality with Men Before the Law

381. Under Canadian constitutional arrangements, the administration of justice is primarily a provincial matter, with the federal government exercising some jurisdiction over spending powers. Since 1995, the federal government no longer specifically earmarks moneys transferred to the provinces for civil legal aid. Civil legal aid is available across Canada; however, eligibility criteria vary among jurisdictions.

382. The Canadian Bar Association created the Standing Committee on Equality to monitor the implementation of the recommendations put forward by the Canadian Bar Association Task Force on Gender Equality in their report, *Touchstones for Change: Equality, Diversity and Accountability*. The report contained over 200 recommendations on how to improve the situation of women in the legal profession. The Committee established the Action Plan on Equality which records, on a yearly basis, the progress of the various institutions implicated in the Task Force's recommendations. The Department of Justice submits an update each year to the Committee on progress made since the 1993 recommendations. The last update was provided in May 1998.

383. Actions undertaken by the federal Department of Justice in response to the recommendations include: monitoring the equity of allocation of workload, particularly in senior positions; accommodating family responsibilities through a comprehensive policy on alternative working arrangements; and establishing a policy for the hiring of legal agents from law firms where demonstrated commitment to employment equity is evident.

384. Canada played a leadership role in the creation of the independent and effective International Criminal Court. Canada was also instrumental in achieving a gender-sensitive statute, including securing the provision that the applicable sources of law must be applied without adverse distinctions based on grounds such as gender. Canada continues to promote the integration of a gender perspective in the Elements of Crimes and the Rules of Procedure and Evidence.

385. Canada advocated for the successful inclusion of sexual and gender-based violence within the definition of crimes, for provisions ensuring protection of victims and witnesses, and for the assurance of relevant expertise in the composition and administration of the International Criminal Court. Canada was also instrumental in securing references that states should strive to elect judges who possess expertise in violence against women, and that the prosecutor take measures to ensure the effective investigation of sexual violence and violence against children.

386. Canada strongly supported the appointment of advisors on gender-based violence to the International Criminal Court, and the establishment of a Victims and Witnesses Unit for the protection, security and counselling of victims and witnesses, including staff experienced in trauma related to crimes of sexual violence. Canada appointed an NGO advisor with expertise in gender issues to the Canadian delegation to the Rome Conference, which was held in July 1998 to establish the International Criminal Court, and worked in close collaboration with NGOs interested in ensuring gender-sensitive outcomes.

Article 16: Women and the Family

387. On March 6, 1996, the government announced comprehensive child support reforms in the budget speech. The reforms included the introduction of child support guidelines and a change in the tax treatment of child support which came into effect on May 1, 1997. The child support guidelines (Bill C-41) were stalled in Senate Committee hearings in November 1996. In order to resolve the stalemate, it was agreed that the Senate Committee would monitor the use of the guidelines and that a joint House of Commons–Senate committee would review the issue of custody and access.

388. The Special Joint Committee on Child Custody and Access was established in December 1997 to examine and analyze issues related to custody and access arrangements after separation and divorce. Throughout 1998, the Committee held 55 public hearings. On December 9, 1998, it tabled its report, *For the Sake of the Children*, which contains 48 recommendations referring to a wide variety of issues.

389. The Minister of Justice tabled the government response on May 10, 1999. The response incorporates the key themes, concerns and recommendations contained in the Committee's report within the context of a proposed federal strategy for reform — the principal directions the government will be exploring with the provinces and territories over the next few years.

390. The process to implement the strategy for reform will involve working closely with the provinces and territories in coordination with the federal government's comprehensive review of the Federal Child Support Guidelines. The Minister of Justice must table a report by May 1, 2002, on the operation of the new Child Support Guidelines. The strategy for reform outlined in the response will be carried out in conjunction with the child support review. The report to be tabled in 2002 would deal with both custody and access, and child support.

Article 16(d): The Same Rights and Responsibilities as Parents in Matters Relating to Their Children

391. In 1996, a new child support system was announced. The system has four key features:

- introduction of a no-deduction/no-inclusion tax treatment
- creation of new guidelines for the calculation of child support payments
- new enforcement measures
- an increase in the Working Income Supplement (since superseded by the new National Child Benefit System)

392. The outcome of the new tax treatment is that the full amount of the support payment can be used to care for the child. New federal child support guidelines make it easier to calculate the appropriate amount for support payments — making the system more consistent and predictable. New measures assist provincial and territorial authorities in enforcing child support orders. For example, the Canada Customs and Revenue Agency database has been added to the list of federal information banks, that can be used to track defaulters. Federal pensions can now be diverted to pay for child support, and federal passports and certain federal licences can be suspended if a debtor is in persistent arrears. In addition, the legislation provides for measures to help the provinces streamline the collection of out-of-province orders. A standardized database on default and compliance of support orders will also help governments design more effective enforcement mechanisms. Since 1997, the *Bankruptcy and Insolvency Act* contains provisions which give preference to recipients of child and spousal support, whose parents or former partners have filed for bankruptcy, arrears for certain amounts. These recipients are overwhelmingly women. As preferred creditors, such recipients take precedence over unsecured creditors. Outstanding child and spousal support payments remain unextinguished by bankruptcy. The Act also allows damage awards for bodily harm intentionally inflicted or sexual assault to remain undischarged by the bankruptcy.

Article 16(h): The Same Rights in Respect to Ownership and Disposition of Property

393. The Minister for DIAND made the concerns of First Nation women a priority. On December 9, 1999, the Minister announced that he would be naming a special representative whose broad mandate will be to make recommendations ensuring the protection of First Nations women's rights. The Special Representative for the Protection of First Nations Women's Rights will be mandated to examine the division of matrimonial real property on reserve in the case of marital breakdown.

PART III

Measures Adopted by the Governments of the Provinces

Newfoundland

394. This Report is the submission for the province of Newfoundland, covering the period from April 1, 1994 to March 31, 1998.

Article 2: Anti-Discrimination Measures

395. The *Human Rights Code* continues as the legislation providing recourse for alleged discrimination and sexual harassment in the province of Newfoundland. Approximately 40 percent of the total complaints received by the Human Rights Commission during this time period were related to some form of sexual discrimination or harassment.

396. The *Human Rights Code* was amended in 1997 to add sexual orientation as a prohibited ground of discrimination.

397. The *Human Rights Code* allows the Commission to approve special programs designed to eliminate disadvantages suffered by women.

Article 3: Measures to Ensure the Advancement of Women

398. Newfoundland's Department of Education has developed a curriculum module called "Balancing Students' Rights and Responsibilities." The guiding principles of the program centre around the basic human rights and responsibilities of all individuals. Modules have been developed for each level of schooling (primary, elementary, intermediate and senior high) containing staff development activities and activities to be implemented in various curriculums.

399. Guidance counsellors provide services in schools including counselling, guiding, consulting, assessing, providing information services and researching. They also educate, counsel and refer students (as required) on matters such as sexual exploitation and abuse, dating violence, neglect, drug abuse, discrimination, decision making, entering non-traditional occupations and post-secondary education choices.

400. The departments of Education and Human Resources and Employment and the Newfoundland Teachers' Association have produced brochures for distribution throughout the province dealing with "Child Sexual Abuse Information for Families" and

"Child Abuse Information for Families."

401. In 1996, the *Freedom of Information Act* and the *Privacy Act* were amended to allow for the release of information regarding the criminal history of an individual which, in the opinion of the minister, is in the public interest to disclose.

Article 4: Temporary Special Measures

402. The Government of Newfoundland provided funding to a number of programs to benefit women including: Women Interested in Successful Employment: Women in Resource Development: Women in Construction Technology; funding for a Single Parents' Association; and funding for the establishment of a number of Women's Centers across the province.

Article 5: Elimination of Stereotypes

403. The Department of Education offers a number of courses in the school curriculum which address human development and family living. These courses have been reviewed, and any elements of gender bias have been removed.

404. A financial management resource. *Money Smarts*, has been included in the Healthy Living course for Level I senior high students.

405. The Department of Education devotes a quarter of the time of a Student Support Services consultant to work with the Provincial Strategy Against Violence.

406. The Child Care Module in the Intermediate Level Home Economics Program teaches students about child behaviour, development and care.

407. The *Child Youth and Family Services Act* was passed in 1998 and will be proclaimed in 1999. In dealing with situations of domestic violence, s. 21(4) of the Act will now allow the court to order the removal of an offender from the child's residence. Currently, it is often the case that mothers and children who are the victims of violence are the ones who must leave the family home and move to safety.

Article 6: Trafficking of Women and Prostitution

408. The new *Child Youth and Family Services Act* also allows a social worker to seek approval from a judge to prohibit contact between a child or youth and a person believed

to be a risk to the child or youth.

Article 7: Women in Politics and Public Life

409. Special measures have been taken to include gender equity as a principle in the development of regional economic development boards in Newfoundland. While members of these boards are elected or appointed at the regional level, the government has indicated that it supports a gender balance and has encouraged the boards to make special efforts to increase the participation of women at all levels within their organizations. *Towards Gender Equity in Regional Economic Development: A Handbook for Regional Economic Development Boards* was published by the Women's Policy Office and the Department of Development & Rural Renewal in 1996.

Article 10: Education

410. Newfoundland's Department of Education has initiated numerous measures designed to eliminate discrimination against women and to ensure equal rights with men in the field of education. These measures include the following:

- the *Equity in Apprenticeship in Canada* report has been completed and the information presented to jurisdictional authorities responsible for apprenticeship
- a course component addressing information about human rights and non-discrimination has been developed and implemented in the high school curriculum
- the "Religious Education Outcomes" program teaches students from Kindergarten to Grade 12 about issues related to morals, values, decision making, the importance of the family and the community, the environmental crisis and quality of life, and the combating of prejudice, discrimination and poverty
- cooperative education programs allow students the opportunity to try non-traditional occupations
- the development of documents and programs and the screening of recommended resources for content related to equity issues (The criteria used in the screening include stereotyping, overstatement of advocacy, overstatement of denigrations, preferential or detrimental treatment, omission.)
- in conjunction with the provincial strategy against violence, the development of a

newsletter entitled *Creating a Safe Caring Community*, which was circulated throughout the province

- public health nurses visit schools and give presentations on family planning as requested

411. In the province of Newfoundland, the female high school completion rate and post-secondary education participation rate is higher than that of males. While participation rates in all fields have increased, women still tend to be under-represented among those training for occupations in the sciences, engineering, technology and trades.

412. The Department of Health and Community Services provides services to adolescent mothers before and after they give birth and identify and implement individual support service plans for these students.

413. Approximately 50 percent of all employment program placements sponsored by the Department of Human Resources and Employment were filled by women.

Article 11: Employment

414. In 1991, the Government concluded pay equity studies for Newfoundland and Labrador Hydro and the Health Care Sector I ("Support" classifications). To date, all but one affected female-dominated classes have received their final pay equity adjustment. The last class will receive the final adjustment on March 20, 2000. All pay equity adjustments will be incorporated into the appropriate pay scales in 2001.

415. In the case of the other groupings within the health care sector, affected female-dominated classes in the Allied Health Professional group and the Laboratory and X-ray group have received their final adjustments. These adjustments will be incorporated into the appropriate pay scales in 1999. Affected female-dominated classes in the Nursing Sector received adjustments in the amount of 1 percent of payroll for four years starting May 4, 1995, with the remainder paid out in installments of 2 percent of payroll on an annual basis with the final adjustment due in 2001. It is anticipated that the pay equity adjustments will be incorporated into the appropriate pay scales in 2002.

416. For the General Government Sector, pay equity adjustments were paid out in installments of 2 percent of total payroll effective October 1996 and April 1998. It is anticipated that the pay equity adjustments will be incorporated into the appropriate pay scales in 1999. In the case of the Newfoundland and Labrador Housing Corporation and Workers Compensation Commission, pay equity adjustments were paid to affected female-

dominated classes effective October 1996.

417. Pursuant to the *Labour Standards Act*, upon returning to work from adoption, maternity or parental leave, an employee must be placed in the same or similar position with the same duties, benefits and wages held prior to the leave period.

418. The *Child Care Services Act* was assented to in 1998. This legislation provides for improved child care services through the addition of licensed family daycare which was not previously available in this province. In addition, children under the age of 2 can now be cared for in a licensed daycare setting. Funding has also been increased for child care subsidies to allow more low-income families who meet financial eligibility requirements to receive this funding.

419. Since 1997 in Newfoundland, there has been a major focus on removing barriers to employment, reducing dependence on income support and returning people to work. Since that time, the number of single parents on social assistance per month has declined over 8 percent, and the number of employable families in receipt of social assistance has declined by 19 percent.

Article 12: Health

420. A reorganization of the provincial health care system resulted in the establishment of Regional Health and Community Services Boards in four regions throughout the province and Integrated Boards (Community and Institution) in two regions of the province, in addition to the six Institutional Boards. Regional governance of health and community services is accepted as the most effective mechanism for increasing the efficiency of the system. Universal health care services are available to both men and women in the province. Community-based pregnancy and postnatal services are delivered by both Regional Integrated and Health and Community Services Boards. Community health nurses are responsible for a significant amount of the programming delivered to women. Other health professionals such as nutritionists and health care educators are also involved. Confinement services are provided primarily by Regional Institutional and Integrated Health Boards. Primary care physicians are also major providers of reproductive care and are accessible throughout the province for the most part.

421. Current renovations and expansion of the Health Sciences Complex will result in the consolidation and improvement of antenatal, perinatal and postnatal health and medical services for women in the province experiencing high risk pregnancies.

422. Several years ago, the Morgentaler Abortion Clinic, located in St. John's, became a

completely publicly funded agency, thus allowing free access to all services. Prior to this, women were charged a moderate fee.

423. Major activities are under way both in the hospital sector and the community sector to increase the rate of breastfeeding. Detection of postpartum depression has also been highlighted in awareness and education campaigns.

424. The recent establishment of an advanced role for nurses — the Nurse Practitioner (NP) — was in response to insufficient medical and health care in rural areas. The NP is assuming the full range of "normal" pregnancy services generally provided by physicians, which will allow for a greater number of services to be available closer to individual communities. Approximately 24 NPs are currently working in the province.

425. Annual grants are provided to a variety of non-governmental organizations in the business of providing reproductive health services. Recipients include Planned Parenthood, the Care Centre for Women and others.

426. Healthy Baby Clubs, part of the federal government's initiative Canada's Action Plan for Children, are found in many locations throughout the province. These programs provide support, education and tangible resources to pregnant women and new mothers.

Article 13: Economic and Social Life

427. The Department of Human Resources and Employment provides increased financial support for those women who are pregnant and on income support.

Article 14: Rural Women

428. Changes to the structure of the provincial health care system as reported in Article 12 has resulted in increased accessibility to services for those living in rural areas.

429. The Department of Education has initiated a new program aimed at providing greater access to adult basic education in rural Newfoundland.

Article 16: Women and the Family

430. In 1997-98, the *Family Law Act* and Regulations were amended to adopt a set of child support guidelines which provide a benchmark for the awarding of support for children of separated parents. The Act also insures that priority in granting applications be given to

applications for support of a child over support of a dependent who is not a child.

Prince Edward Island

431. This Report is the submission for the province of Prince Edward Island, covering the period from April 1, 1994 to March 31, 1998.

Legal and Other Measures Adopted April 1, 1994 to March 31, 1998

432. The *Employment Standards Act* requires employers to provide an employment environment free from harassment. In 1995, a Safety in the Workplace Education Initiative was hosted by Labour, Occupational Health and Safety and Status of Women sectors. Posters were distributed to all workplaces.

433. In compliance with the *Employment Standards Act*, a public service workplace harassment policy, Creating a Positive Work Environment, was jointly developed by the public service union and the Government of Prince Edward Island, in recognition of the right of public service employees and clients to be free from harassment in the workplace. Educational sessions were held for all employees.

434. Changes to the *Civil Service Superannuation Act* were made to allow for splitting of a member's pension assets in the event of marriage breakdown. These proposed changes have been approved.

435. A series of education sessions on promoting equity and diversity in employment have been held with representation from the four designated groups — women, Aboriginal peoples, persons with disabilities and visible minorities. Advice on strategic directions for improving the workplace culture for designated groups has been prepared as groundwork for future education and policy development.

436. The *Victims of Family Violence Act* and Regulations were developed in 1994-95, and the Act was proclaimed in 1996. It provides immediate community access to emergency protection and intervention. Public education sessions were conducted and the *Islanders Guide to Victims of the Family Violence Act* was prepared and distributed by Community Legal Information Association. An information kit on victim assistance orders is available to assist victims in understanding their rights under the Act, as well as any documentation requirements. Legal aid is available to those victims who meet financial eligibility criteria.

437. Educational programming aimed at promoting women and leadership and management was piloted in 1996 and 1997 with partnership assistance from the federal and provincial governments and the University of Prince Edward Island. The Management Development Program for Women is currently being offered as a program at the University. Demand for spaces has exceeded quotas each year that the Program has been offered.

438. The Premier's Action Committee on the Prevention of Family Violence, a five-year strategic government–community partnership, is facilitating and updating family violence response protocols, conducting public education, and distributing information on violence recognition and prevention in the workplace.

439. The Provincial Department of Development offers a grants program for women entrepreneurs as a part of promoting enterprise development by women.

Progress

440. Representation of women in public leadership positions in Prince Edward Island is reported as a proxy indicator of women's equity progress. The table that follows shows the update for 1998.

Representation of Women in Public Leadership Positions

	Total Positions	Total Number of Women in Positions	Total in 1993 (%)	Total in 1998 (%)
Member of Legislature	27	4	25.0	14.8
Provincial Cabinet Ministers	9	2	11.1	22.2
Provincial Deputy Ministers	9	2	22.2	22.2
Mayor/Chair of Municipal Council	75	18	14.6	24.0
Member of Municipal Council (other than Chair)	404	111	22.3	27.5
Chair of School Board	3	2	60.0	66.7
Member of School Board (other than Chair)	29	13	32.8	44.8
Supreme Court Justice*	8	2	12.5	25.0
Provincial Court Judge*	3	1	0.0	33.3
Total	567	155	22.4	27.3

*In this report, these last two categories were included, although individuals are appointed to these positions, rather than being elected.

Nova Scotia

Introduction

441. This report summarizes Nova Scotia's policies, legislation and programs relevant to the articles of the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW). It contains profiles of measures adopted and/or undertaken by the province between 1994 and 1998 that give effect to the provisions of the Convention. The Government of Nova Scotia is pleased to note that substantial progress has been made on behalf of the women of Nova Scotia during this period. The government is committed to continuing this work within the context of its social, fiscal and economic growth priorities, in order to eliminate any and all forms of discrimination that remain active in our society.

Article 2: Anti-Discrimination Measures

442. The *Nova Scotia Human Rights Act* (R.S.N.S. 1989, c. 214) is the principal anti-discrimination law providing recourse for women who allege sex-based discrimination. Major revisions made to the Act in 1991 had the effect of providing additional protection to children and their families. Family status, defined as "being in a parent-child relationship", was added as a new characteristic under which discrimination is prohibited and the protection from discrimination on the basis of marital status was expanded to apply to all facets of public life. Pregnancy-based complaints are considered complaints of discrimination based on sex. The Act also prohibits sexual harassment and discrimination based on an irrational fear of contracting an illness.

443. Between 1994 and 1998, an average of 35 percent of complaints lodged under the *Human Rights Act* involved complaints of discrimination on the basis of sex, pregnancy and sexual harassment (1994 — 37 percent; 1995-35 percent; 1996 — 33 percent; 1997-34 percent). This indicates a decrease of about 5 percent since 1993.

444. Between 1994 and 1998, 22 boards of inquiry were appointed with respect to discrimination against women as per the above noted categories: sex, pregnancy, sexual harassment, family and/or marital status.

445. Complaints on the basis of marital status and/or family status are made primarily by women, increasing the overall percentage of complaints in relation to discrimination against women to approximately 40 percent. In most cases, complaints are resolved

through a conciliation process with settlements ranging from financial compensation, restoration of a lost job, redesigned hiring policies and practices to anti-harassment policies and human rights awareness sessions.

446. In 1996, the Nova Scotia Women's Directorate and the Advisory Council on the Status of Women were merged. The mission of the new organization — the Nova Scotia Advisory Council on the Status of Women — remains true to the past work of both groups, which is to advance equality, fairness and dignity for all women. The mandate of the Council is to advise the minister responsible for the status of women on the concerns and priorities of women, and to formulate strategies and options to address these. Its core functions are research and policy development, information and communication services, and community liaison and rural outreach. The Council's goals are to:

- increase the participation of women in all their diversity in decisions that affect their lives, families and communities
- ensure that the legislation, policies and programs of the government promote equality for women in Nova Scotia
- reduce violence against women in communities, workplaces and families
- improve the health and well-being of women and their families
- promote women's economic equality

Since the merger. Council has seven full-time staff members in the Halifax office and four part-time field workers in other areas of the province.

447. One of the Advisory Council's goals has been to ensure that government legislation, policies and programs promote equality for women through a process for integrating gender analysis into policy-making activities. Between 1994 and 1998, gender impact analyses of minimum wage legislation, CPP reform and child support guidelines were undertaken.

448. The size of the Advisory Council doubled to 14 members in 1996-1997, with representation from all parts of Nova Scotia. The Council includes women from under-represented groups such as Acadian, Mi'kmaq, African-Nova Scotian and women with disabilities.

449. In 1996, the Department of Economic Development provided funding to assist Women's

World Finance in a research project to determine the economic impact of women business owners in Atlantic Canada. The report, entitled "The Economic Impact of Women Business Owners in Atlantic Canada," was released in August 1997.

450. The Department of Education restructured in 1994 and realized the creation of the Mi'kmaq Services Division and the African Canadian Services Division. The position of Multi-Cultural Education Consultant has as part of its mandate a direction to work proactively and reactively to gender-related issues.

451. In December 1998, a regulation was adopted enabling the Human Rights Commission to register board of inquiry orders for monetary compensation with the Supreme Court of Nova Scotia. This allows the Commission to pursue payment of monetary awards from recalcitrant respondents through means such as wage garnishees, and execution orders against real and personal property, etc.

Article 3: Measures to Ensure the Advancement of Women

452. Between 1994 and 1998, the Nova Scotia civil service underwent a series of planned reductions. The reductions were mainly devolutions of various components from the civil service. Civil servants at the Victoria General Hospital (1996-97), community colleges, and Public Health and Drug Dependency (1997-98) were some of those affected. Over this same period, however, the number of women in the civil service has remained steady and actually increased to approximately 60 percent of the total work force in 2000.

Women in Nova Scotia's Civil Service

Year	Number of women	Percent of women	Total Complement
1993-94	6880	60	11550
1994-95	6,597	61	10846
1995-96	6,723	62	10,890
1996-97	4,380	56	7,800
1997-98	4,080	56	7,325

Note: Totals are based on responses from civil servants who completed the Government of Nova Scotia Workforce Analysis Survey and chose to self-identify.

453. Women have been taking on positions of increased responsibility in Nova Scotia's civil service since 1994. For example, the number of women in management positions has increased since 1994 (see table below). As of January 2000, women make up 39 percent

of Management Class Positions (MCP) pay plan total.

Women in Management Class Positions in Nova Scotia's Civil Service

Year	Number of Women vs.Total MCP	Women as Percent of MCP Work Force
1993-94	453 of 1,472	31
1994-95	447 of 1,330	34
1995-96	474 of 1,355	35
1996-97	454 of 1,284	35
1997-98	464 of 1,251	37

454. Since 1994, women have made only marginal gains in deputy minister positions (see table below).

Women in Deputy Minister Positions in the Government of Nova Scotia

Year	Number of Women vs. Total Positions
1994	2 of 12
1995	2 of 15
1996	3 of 15
1997	3 of 15
1998	4 of 16
1999	5 of 18
2000	4 of 19

455. In the judiciary, there were 8 federally-appointed women judges from a total of 33 in 1998, compared to 4 out of 34 in 1994; and 9 provincially-appointed judges from a total of 40 in 1998, compared to 6 out of 44 in 1994.

456. In 1994, the Health Minister introduced a resolution in the legislature to recognize the contribution of Registered Nurses (RNs) to the provision and delivery of quality health care in Nova Scotia. In particular, their professional skills, compassion and effectiveness in the planning and management of the health care system were commended. The resolution also expressed the respect and gratitude of Nova Scotians to those fellow citizens who bear the official title of RN.

457. Certified Nursing Assistants and their contribution to the health care system in Nova Scotia were also recognized by members of the legislature.

458. In 1995-96, the Advisory Council assisted single mothers attending university who faced cutbacks from the students aid program. The Council worked with the women to develop a lobbying strategy.

459. A new protocol for the screening of volunteers working with children and other vulnerable populations was implemented in 1997. The protocol ensures that volunteer agencies can obtain a criminal records check in appropriate cases. Volunteer organizations are required to enter into a memorandum of understanding with the police agency in their area. Police checks of volunteer applicants will determine if there is any record of criminal convictions. Job descriptions for volunteers include whether a security check is required, when the check is conducted and what information will result in refusing the services of a volunteer. The province commissioned the Volunteer Resource Centre in Halifax to conduct training workshops on the screening process.

460. In 1998, the Nova Scotia Human Rights Commission sponsored a new journalism award to recognize reporting on human rights topics and to advance human rights as a subject for reporting. Three awards were presented on December 10 — Human Rights Day — in print, broadcast and student categories. Eligible stories focus on at least one of the protected characteristics in the Nova Scotia *Human Rights Act*, and the challenges faced by people because of: race/colour; religion/creed; ethnic/national origin; association; sex (gender or pregnancy); physical or mental disability; age; source of income; aboriginal origin; sexual orientation; sexual harassment; political affiliation; marital status; family status; or irrational fear (illness or disease).

461. The Nova Scotia Department of Education and the Nova Scotia Teachers Union have reiterated a commitment to affirmative action by extending the collective agreement's Letter of Understanding — Affirmative Action Coordinating Committee. The Committee's mandate is to:

- urge school boards to review their hiring procedure to ensure that women and members of visible minorities are encouraged to seek employment in teaching
- encourage school boards to identify women and members of visible minorities who are qualified and who wish to seek promotion
- receive annual summary reports from each school board indicating the affirmative

action initiative taken by the school board in the previous year

- analyze reports received from school boards projecting their staff requirements over the five-year period from 1994-95 to 1999-2000, and prepare an annual overall report for the Minister of Education and Culture, the Nova Scotia School Boards Association and the Nova Scotia Teachers Union indicating the progress that has been made in the area of affirmative action.

The Committee includes voting membership from the Department of Education (chair), the Nova Scotia Teachers Union and the Nova Scotia School Boards Association. In addition, the Committee has non-voting participation from the Nova Scotia Government Employees Union, the Canadian Union of Public Employees, the Mi'kmaq Services Division and the African Canadian Services Division.

Article 4: Temporary Special Measures

462. The Government of Nova Scotia is committed to creating a civil service that represents the diversity of citizens in all employment categories and at all levels. The Department of Human Resources administers an affirmative action policy to promote equitable participation of Aboriginal persons, Black persons and other racially visible persons, as well as persons with disabilities and women in positions where they are under-represented.

463. In 1997, Human Resources signed an agreement with the Nova Scotia Human Rights Commission reflecting its strengthened commitment to creating a diverse work force.

464. Human Resources offers a Diversity Incentive Program and a Summer Employment Mentorship Program. The Diversity Program places students in jobs from clerical and administration to scientific and professional. In past years, female students in the Mentorship Program have worked in legal research, technology, fisheries, engineering and construction. The Mentorship Program attracts many young women to summer jobs with the provincial government, and provides them with valuable work experience in their field of study, as well as with a role model. The Program hires female students pursuing careers in non-traditional fields such as engineering, fisheries, geology and construction, and pairs them with mentors in government departments. Approximately 35 students were hired full time for 15 weeks in 1998. The goal of the Program is to see its "investment" pay off, and to make many more young women a permanent part of Nova Scotia's civil service in occupations where they have been under-represented. Both programs are open to full-time students returning to university, community college, private trade schools or high school in the fall.

465. The Department of Transportation and Public Works, in partnership with the Disabled Persons Commission, established a committee in 1998 to develop an accessibility audit process with the goal of presenting a government corporate policy on access to government real property.

466. An affirmative action agreement was signed in 1998 between Bryony House, a 24-bed Halifax shelter for battered women and their children, and the Human Rights Commission. It promotes better services for battered women and human rights in the workplace. Currently, there are 29 affirmative action agreements between the Commission and public and private sector partners in Nova Scotia. Affirmative action agreements are provincial government programs aimed at addressing discrimination faced by women, visible minorities, Aboriginal people and people with disabilities. Some highlights of the agreement include:

- identification and elimination of barriers that may deny equal employment opportunities to under-represented groups
- continued efforts to provide outreach services and programs to visible minorities, Aboriginal people and the disabled community
- ensuring that all hiring, training, development and work assignments comply with the province's *Human Rights Act*

Article 5: Elimination of Stereotypes

467. A provincial protocol and manual were developed for child care and child protection workers to use when faced with alleged abuse of a child attending a child care centre. These resources, which clarify the roles and responsibilities of all parties involved in the process of recognizing and reporting alleged child abuse, have been widely distributed to professionals in Nova Scotia who provide services to children and their families. A training program based on the *Child Care and Child Protection: Working Together for Children* protocol continues to be offered on a regular basis in communities around the province. It raises the level of awareness, knowledge and understanding of the procedures and responsibilities associated with child abuse and neglect allegations within the context of child care.

468. Beginning late in 1995, the work of the Human Rights Commission with respect to eliminating stereotyping became more focused. New personnel were hired in the Race Relations and Affirmative Action and Public Education divisions, bringing new ideas and

vitality to the outreach of these divisions. One example was an initiative by the Race Relations and Affirmative Action Division to review and renegotiate all existing affirmative action agreements in place between the Commission and various (mostly large) employers and institutions. Both divisions increased the scope and volume of human rights training sessions offered, and work on comprehensive training manuals was begun. A third important project, the Substantive Equity Initiative, involved several Commission staff in the development of better analytical tools and strategies for dealing with systemic discrimination in large organizations, particularly workplaces. This project is ongoing.

469. In 1996-97, the Advisory Council published *Letting in a Little Light*. This book, about the lives of lesbian women and their children, was distributed to community groups and educators across Nova Scotia. Requests for copies of the book also came from across Canada, as well as the United States, Sweden and the Netherlands.

470. The Senior Citizens Secretariat works to eliminate stereotyping of older adults by portraying active healthy aging in its publications, workshops and its annual Senior's Expo. In 1997-98, the Advisory Council cosponsored a fund-raising event with well-known feminist and author Betty Friedan. Her lecture helped raise awareness and new thinking related to issues of aging.

Article 6: Trafficking of Women and Prostitution

471. In 1995, the Department of Justice sponsored a provincial consultation on prostitution. Participants agreed that prevention and early intervention are key to a successful strategy to address juvenile prostitution. It was acknowledged that youth involved in the sex trade are victims and in need of accessible medical services, substance abuse treatment, crisis counselling and ongoing support, shelter, life skills, job training and education re-entry programs. Following the consultation, a strong community-police partnership was forged to address critical issues in communities where street prostitution was seen to be most prevalent.

472. In 1998, a multi-disciplinary group initiated a prostitution education program ("John School"). The group includes police, a number of provincial government departments, and community agencies. The program's objective is to reduce recidivism by providing information regarding the negative impact of prostitution on individuals and communities. Perpetrators are charged a fee for program participation, and the revenue is used for educational opportunities and other supports to women involved in prostitution.

Article 7: Women in Politics and Public Life

473. In 1997, the Advisory Council hosted the "Provincial Women's Forum — Challenge to Change." The purpose of the Forum was to consider the impact of fiscal restraints, accelerated change and smaller government on the quest by women for gender equality. Four main themes served to focus the discussions: women and the economy; women and health; women and education; and human rights and the law. Over 150 women from across Nova Scotia discussed and debated these issues, articulated goals and obstacles, and made recommendations for change.

Article 8: Women as International Representatives

474. As a representative of the International Planned Parenthood Federation, the president of the Advisory Council participated at meetings, held in New York in 1995, preparing for the Fourth United Nations World Conference on Women. The Council hosted meetings and planned a one-day workshop on the Fourth UN Conference in Beijing in association with the Beijing Women's Action Network. In 1995, 12 women from Nova Scotia travelled to Beijing to attend the NGO World Forum.

475. The Advisory Council partnered with the Canadian Congress of Black Women and the Maritime Centre of Excellence for Women's Health for a high-level interministerial delegation of South African women in 1997. The Council coordinated the Halifax leg of their study tour on violence against women.

Article 10: Education

476. The Nova Scotia Community College (NSCC) is committed to the promotion of education and employment opportunities for women in the areas of trades and technologies. A fundamental component in NSCC's efforts to increase opportunities for women in male-dominated occupations lies in altering perceptions about women and trades and technologies fields.

477. NSCC is a founding partner in Techsploration, an innovative program that provides young female students the opportunity to mentor with a female role model working in a trades or technology career. The young women in the program work with mentors and teachers to research an "in-demand" career and create an interactive presentation to deliver to their peers. They also participate in workshops and gain hands-on experience in their chosen field by working with role models. Techsploration is a partnership of public and private sector industry partners.

478. In 1998-99, 46.8 percent of full-time students at the NSCC were female; the following

year, this number increased to 47.8 percent. In 1999-2000, women comprised the following percentage of total full-time enrollment in trades and technologies: 32.9 percent in the natural resources programs; 26.4 percent in the geographic sciences; 12.0 percent in construction and related programs; 6.6 percent in industrial trades and technologies; and 5.7 percent in electrical and electronics programs.

479. Nova Scotia's schools remain strong supporters of "Take Our Kids to Work Day," a hands-on opportunity for students to gather information through questioning and interviewing. It stimulates youth to start developing career plans and to be aware of the preparation required for various careers. The Department of Education emphasizes that education goes beyond the classroom and that preparing youth for the future is a community responsibility.

480. The Department of Education has implemented changes in programs and services to overcome bias against female learners. Its media library provides videos that raise awareness of women's issues and the role women play in various fields. School boards have sponsored gender awareness training and participated in community/school research initiatives such as dating violence prevention and non-traditional career planning. In partnership with the Maritime Provinces Education Foundation (MPEF), the Department contributed to the production of a human rights training manual, with a section addressing women's issues.

481. The Department of Education has incorporated dating violence prevention and the promotion of healthy relationships into the curriculum as part of Personal Development and Relationships and Career and Life Management courses at the junior and senior high levels.

482. The theme of Women's History Month in 1995 was "Women and Education," which focused on women as both teachers and learners. In 1997, participants examined ways to attract more girls and women to science and technology when they celebrated "Women in Science and Technology."

483. The first $5,000 Women in Engineering Scholarship was awarded in 1995. This is a renewable scholarship for women engineering students at the Technical University of Nova Scotia. The province established it on December 6, 1994, to honour the victims of the Montréal Massacre and to support women students pursuing a degree in engineering.

484. A Girls Exploring Trades and Technology camp was held in Nova Scotia in 1996. Over the course of five days, 40 girls took part activities that stressed the importance of math, science and technology courses to careers of the future. Participants visited work sites

where they met women working in trades and technology. The Department of Education, other government departments and private sector partners, supported the program.

485. In 1997, the Human Rights Commission and the Department of Education worked with school boards and community groups to form the Coalition Against Sexual Harassment. The Advisory Council and the Department of Education were also involved and provided input into the development of a program to prevent sexual harassment in Nova Scotia's schools. In addition, the Department has appointed a liaison position for gay/lesbian education groups.

486. International Women's Day continues to be observed in Nova Scotia. In celebration of that event and the Advisory Council's 20th anniversary, about 60 high school girls gathered in 1998 to tackle issues of economic equality, health and well-being, and violence. The conference entitled "Hopes, Dreams & Directions — Twenty Years from Now" was sponsored by the Advisory Council. The Council made a commitment to participants to seek regular input and involvement from young women.

487. Nova Scotia's first Council on Mi'kmaq Education was set up in 1998. It provides guidance to the Minister of Education on the development, implementation, evaluation and funding of educational programs and services to Mi'kmaq students in the public school and adult education systems. The Council is made up 13 representatives appointed by the Minister, including a representative from the Nova Scotia Native Women's Association.

488. The Senior Citizens Secretariat reports that older adults can continue their education at the university level at no cost or at reduced cost. Continuing education programs are also available. A number of non-profit groups sponsor computer education courses specifically for older persons.

Article 11: Employment

489. The Vocational Rehabilitation of Disabled Persons programs (VRDP) has been replaced by the Employability Assistance for Persons with Disabilities program (EAPD). Many of the criticisms of the VRDP program were addressed in the redesign of the EAPD. For instance, there was a concern that the VRDP program did not look at individual needs. The new EAPD program is designed to consider personal needs and circumstances of clients. A consumer monitoring process was implemented to ensure that client concerns are being addressed.

490. In 1996, the *Labour Standards Code* was amended to encompass, with some limited

exceptions, domestic workers employed in private homes. Prior to this amendment, domestic workers employed in private homes by the homeowner were excluded from the legislation. The change to the legislation, gives domestic workers a number of protections including the right to equal pay, vacations/vacation pay, protection of pay, minimum wage and pregnancy and parental leave.

491. In 1997, the new *Occupational Health and Safety Act* came into force. The Act improves three basic rights: the right to know, the right to refuse unsafe work and the right to participate in workplace health and safety issues. Information sessions on the new legislation were offered and a video and plain-language guide to the Act were developed. The government stated the ultimate goal of the legislation is reduced accidents and improved health and safety with benefits going to workers, families, business and the economy of Nova Scotia. As well, the Act requires that trade schools and community colleges teach courses in occupational health and safety (OHS).

492. In 1997-98, the Advisory Council facilitated meetings with the International Longshoreman's Association (Halifax local), Women in Trades and Technology, Human Resources Development Canada (HRDC) and the Canadian Human Rights Commission (CHRC). Meeting participants discussed employment equity processes and the need to increase the number of women employed in the longshore industry. Education programs on diversity issues are now being delivered to sector employees. In 1998, the Council and the Nova Scotia Petroleum Directorate teamed up to inform women about new career and job opportunities in the emerging offshore gas and petroleum industry.

493. In 1985, there were 324 licensed child care centres in the province. In fiscal year 1999-2000, there are 377 child care centres, including 31 child development centres and three family daycare agencies. There are presently 10,850 licensed child care spaces, including 2,450 spaces that are government subsidized. (Another 50 subsidized spaces will be allocated in the spring of 2000.) There are 181 differentially-funded spaces at licensed child care centres for children with special needs. There are 15 partially-funded early intervention programs that provide home-based programs for children up to five years of age who are at risk or who have a developmental delay.

Article 12 : Health

494. A nutrition survey done in 1993 showed that women aged 18-34 and 35-49 were below the recommended nutrition intake of folic acid. The study also showed that folic acid intake among Nova Scotia women was lower than in the Nutrition Canada survey done in the early 1970s. Folic acid plays an important role in the formation of the spinal cord and brain during embryonic development. In 1994, the Department of Health officially

recommended that women of childbearing age take 0.4-mg folic acid supplements daily to complement the natural "B" vitamins in other foods.

495. The government recommended in 1994 that counselling and HIV testing with informed consent become a routine component of prenatal care. It also suggested that family physicians and obstetricians become more alert to HIV risk factors as they apply to individual patients.

496. The Department of Health actively promotes and supports breastfeeding as the best form of infant feeding. In 1994, 2,500 kits were sent to community groups and organizations in Nova Scotia to initiate dialogue on breastfeeding in the community. In 1998, a Baby-Initiative Coordinator was appointed to help promote optimal development through breastfeeding.

497. In 1996-97, the Advisory Council on the Status of Women supported a proposal to develop a Maritime Centre of Excellence on Women's Health at Dalhousie University. The Council was invited to serve on the interim steering committee and to advise on community participation in the Centre. The following year, the Council was involved in several projects and committees relating to the organization and development of the newly funded centre.

498. In Nova Scotia, almost one in three women smoke during pregnancy. The risks of women having a miscarriage or stillbirth, or who give birth to pre-term babies who are small for their gestational age is well documented. "Start Quit, Stay Quit" was launched in 1996 to help women stop smoking during and after pregnancy. Workers help participants identify motivating factors to remain smoke free, and to develop skills and strategies to achieve that goal. The program is for women 16 years and older, who are between two and eight months pregnant, and have quit smoking for at least one week. The program will be evaluated and results will be used by the Department of Health to plan future smoking prevention programs for pregnant and postpartum women.

499. Regular Pap tests can prevent cancer of the cervix in over 90 percent of cases. It is the only way to detect changes in cervix cells before they become cancerous. Since only 45 percent of Nova Scotia women at risk have Pap tests, the Department of Health launched a public awareness campaign in 1997.

500. In 1997, the Reproductive Care Program (RCP) presented its report *The Potential for Midwifery in Nova Scotia: A Review by the Reproductive Care Program for Nova Scotia* to the Health Minister. The report identified the maternity care service needs of women and newborns, including in rural areas. In Nova Scotia, the RCP is the recognized

authority on maternal and newborn health. The RCP has had a major role in improving standards of prenatal care since its inception in 1975. No decision has been made on the possibility of legislating midwifery in Nova Scotia.

Article 13: Economic and Social Life

501. The Disabled Persons' Commission was created in 1989 to advise government on policies and programs for persons with disabilities and to make all Nova Scotians aware of these programs. In 1995, and again in 1998, the Commission produced a "Directory of Programs and Services" specifically for Nova Scotians with disabilities.

502. In conjunction with the United Nations Decade for the Disabled, a task force was set up to study the economic integration of women with disabilities in Nova Scotia. The task force report included 27 recommendations on raising public awareness about women with disabilities, education and training, employment, income support and daycare. Work continued through 1994-98 on implementation.

503. The Disabled Persons' Commission tabled a "Report and Recommendations for the Establishment and Support of Inclusive Transportation Services in Nova Scotia" in 1995. The government responded by forming a committee in support of inclusive transportation represented by the Departments of Health, Housing and Municipal Affairs, Community Services, Transportation and Public Works, Education and Culture and the Nova Scotia Utility Review Board. A steering committee became responsible for promoting inclusive transportation initiatives in Nova Scotia, including the development and support of three community-based pilot projects to demonstrate models for inclusive transportation, and to study possible roles for government.

504. In 1998, the Nova Scotia government gave its support to Justice Canada's Community Safety and Crime Prevention program. Communities are asked to develop comprehensive and sustainable approaches to crime prevention and to take action against the root causes of crime. Proposals were sought from non-profit professional and voluntary groups, community-based coalitions and groups working in support of crime prevention with Aboriginal communities. Nova Scotia's proposals saw children and youth as major targets for program outcomes. Community development projects that focus on partnerships to address crime prevention over the long term are also on Nova Scotia's priority list. Representatives of the federal, provincial and municipal governments, and crime prevention societies reviewed proposals.

505. In partnership with other federal and provincial agencies and departments, the Nova Scotia Department of Economic Development provided funding over a two-year period

(fiscal years March 31, 1999 and March 31, 2000) to Women's World Finance to establish a loan fund for women business owners in Atlantic Canada. The Capital Access Loan Program was established to meet the needs of entrepreneurs in micro and small business who do not have business skills or access to credit. Today, Women's World Finance in Sydney, Nova Scotia is the only Canadian affiliate of Women's World Banking, a not-for-profit bank that advances and promotes the full economic participation of women.

Article 14: Rural Women

506. The Advisory Council's Fieldwork Program serves as a link between the Council and women in communities across Nova Scotia. Four part-time field workers help identify women's concerns, provide information and resources, and promote public education and awareness programs on a wide range of women's issues, especially in rural Nova Scotia.

507. In 1994, the Department of Health approved funding for a Continuing Care Certificate in nursing for diploma-prepared nurses. The program will enhance the knowledge, skills and practice of registered nurses in the community. This approach, which is offered through distance education, fits with the needs of Nova Scotia's reformed health care system. Nurses in practice, management, education and in the unions were consulted prior to the introduction of the program.

508. In 1994, it was estimated that 600 Nova Scotia women would be diagnosed with breast cancer. In an effort to improve the quality of life for Cape Breton women, the Department of Health purchased a new $250,000 mobile mammography unit. (Cape Breton is a predominately rural area of Nova Scotia.) This was a part of an integrated approach to health promotion, positive environmental change and disease prevention. The unit is a van equipped with a low radiation dosage mammography unit. Up to 30 women are examined daily.

509. In 1997, the Department of Economic Development, the Advisory Council on the Status of Women, and the Regional Development Authorities (RDAs) helped fund the "Counting Women in Community Economic Development" conference. The purpose of this project was to expand and support women's involvement in community economic development by strengthening their skills, providing tools and resource materials, and facilitating networking. In late 1998, the Departments of Economic Development, Education, Community Services, Housing and Municipal Affairs, and the Advisory Council partnered with federal government agencies and departments to assist the organization Women for Economic Equality. As a result, this organization began a 24-month pilot project to increase women's participation in community economic

development throughout Nova Scotia.

Article 15: Legal Rights

510. In Nova Scotia, women and men are treated with full equality before the law. The following illustrates the range of legislation available in Nova Scotia:

- discrimination on the grounds of sex or marital status is prohibited by the *Human Rights Act*
- under the *Labour Standards Code*, women and men are entitled to receive equal pay for substantially the same work performed in the same establishment, the performance of which requires substantially equal skill, effort and responsibility, and which is performed under similar working conditions
- women have full legal rights to the acquisition, ownership and alienation of property by contract or will, and the right to take proceedings for the recovery of property
- discrimination against women in the sale of goods is prohibited by the *Consumer Protection Act*
- women and men may act as trustees and executors, whether married or not
- a woman with a child has the right to apply for benefits under the *Family Benefits Act* and the right to maintenance from a possible father of a child or a spouse
- persons who have cohabited for at least one year have the right to maintenance
- persons who have cohabited for at least one year have the right to seek benefits under the *Fatal Injuries Act* in the event of the accidental death of their partner.

511. A full review of legal aid was announced in 1995. It examined the structure and practices of legal aid to identify the best way to deliver services. The Nova Scotia Legal Aid Commission launched a new service to ensure arrested or detained persons have access to legal advice 24 hours a day, seven days a week. The service is designed to satisfy the individual's right to counsel under s. 10(*b*) of the *Charter of Rights and Freedoms*. The service guarantees a rapid response to requests for legal counsel.

512. Guidelines for provincial judicial appointments were revised in 1995. An advisory

committee now evaluates applicants on the basis of qualifications, personal characteristics, intellectual and judgmental ability, professional excellence, and community awareness and understanding. A candidate's reputation for fairness, commitment to public service and level of professional achievement are examined. The guidelines state that the judiciary must be reasonably representative of its population. As a result, the advisory committee will address the under-representation of women and minorities when considering applications for the bench.

513. Nova Scotia's *Judicature Act* was amended in 1997 to create a Family Division of the Supreme Court. Previously, jurisdiction over family matters was divided between Family Court (provincially appointed judges) and the Supreme Court (federally appointed judges). Money saved by this move will be directed toward new and improved services and programs including post-separation parenting, family mediation services and counselling. The elimination of the two-tiered court system will help families reduce tension, litigation costs and time spent in court during an emotionally distressing time.

514. In 1997, the *Family Maintenance Act* was amended to allow for the implementation of the federal Child Support Guidelines. The Guidelines, based on average costs of raising a child in Canada, will provide a fair, objective and consistent standard in determining levels of child support. Amendments also mean that in the calculation of support payments, children of unmarried parents are treated in the same manner as children of parents who are married. As well, the provincial family court will require those paying child support to provide the same information as required under the *Divorce Act*, which became effective in 1997. By ensuring the necessary information is available to the court earlier, the process should be more efficient.

Article 16: Measures to Eliminate Discrimination in Matters of Marriage/Family

515. The Victims' Services Division of the Department of Justice was established in 1989 under the *Victims' Rights and Services Act* (S.N.S. 1989, c. 14) to provide services to victims of sexual abuse, child abuse and domestic violence, with a particular focus on women. Between April 1, 1998 and March 31, 1999, the Regional Victims' Services Program provided service to 3,780 people. The majority (77.5 percent) were female clients and most were victims of spousal/intimate partner abuse. The Regional Program is delivered through four offices across the province serving both urban and rural Nova Scotians.

516. In 1992, the *Victims' Rights and Services Act* incorporated the Criminal Injuries Compensation Program. (A board had administered it previously, from 1980 to 1992.)

This program helps to cover some of the costs relating to personal injuries resulting from a criminal act. Between April 1, 1998 and March 31, 1999, a total of 410 applications were received by the Program; over half (68 percent) were from female applicants.

517. The Victims' Services Division also delivers a Child Victim Witness Program designed to prepare children for the experience of appearing and testifying in court. The objective of this Program is to teach children about the criminal justice system, specifically to help them understand the process of a trial and to prepare them for their role in the proceedings. In addition, the Program provides case-related information and support to the child and parent, or support person, during the court process.

518. Under the Department of Justice's Framework for Action Against Family Violence, eight Victim Support Services Projects were established in 1996 as a community-based response to spousal/intimate partner violence. The goal of the projects was to provide enhanced services to victims of spousal/intimate partner abuse to support their participation in the justice process. The projects are co-funded and co-administered by the Department of Justice (Victims' Services Division) and the Department of Community Services.

519. The Victims' Services Division of the Department of Justice, in partnership with Bryony House (a Halifax transition house) and MTT Mobility, established the first Emergency Cellular Telephone Pilot Program in June 1998. The Program was designed to offer added protection to victims at high risk of stalking and domestic/intimate partner violence by supplying them with a free cellular telephone to facilitate access to 911 emergency services during times of extreme risk.

520. Through the Production of Records in Sexual Offences Pilot Program, established in June 1998, the Victims' Services Division provides legal representation for complainants in sexual offence proceedings in relation to applications for production of their private therapeutic (medical/psychiatric/counselling) records.

521. The Department of Health has introduced screening tools for use in hospital emergency rooms and at all entry points into the health care system to identify victims of abuse and provide improved services and supports. All health sector staff will be trained in responding effectively and appropriately to family violence.

522. The introduction of a new Family Division of the Supreme Court in 1997 consolidated jurisdiction over a number of family matters. The Justice Department will now proceed with introducing an array of support services to enhance those already available to separating and divorcing couples.

523. The Department of Community Services provides $200 a month to eligible Family Benefits clients to offset the additional costs to single parents while participating in training. Approved transportation costs, child care expenses, special needs or a job search allowance may be covered. Recipients in transition to full-time employment are entitled to have the gross wages earned during the first four weeks of employment exempted at 100 percent for Family Benefits purposes. The first four weeks of training allowance earned are also exempt.

524. The Family Violence Prevention Initiative (FVPI), a multi-departmental government-community partnership, was established in 1992 to coordinate efforts to respond to the problem of family violence, including violence against women. Its role includes:

- coordination of efforts to prevent and respond to the problem of family violence
- policy development to ensure that government policy, programs, services and activities are effective, consistent and coordinated within and among departments
- public education to increase awareness of the problem of family violence and encourage action to respond
- professional education to increase the ability of professionals and service providers to identify and respond effectively to victims and their families
- advocacy to emphasize the importance of primary prevention, early intervention and the promotion of healthy family relationships
- provision of support to departments, communities, and local community-based interagency committees in their efforts to achieve their goals and objectives in preventing and responding to family violence

525. The FVPI works to change attitudes and behaviours contributing to family violence by sponsoring "Family Violence Prevention Week," an annual multi-media campaign to raise awareness about family violence. The FVPI produces many publications on family violence (distributing over 150,000 items/year), including a new 12-part fact sheet series on various aspects of the problem, brochures, a new directory of province-wide family violence services to ensure victims and professionals are aware of services available; procedures manuals/protocol guidelines to ensure a coordinated response to woman, child and elder abuse; bookmarks and other items. It operates a Resource Centre of over 2,000 audiovisual and print materials available on loan to the public free of charge and

maintains a website of information available for downloading. To date, the FVPI has sponsored conferences, delivered workshops, developed curriculum and provided training to over 6,000 professionals/service providers. The FVPI has also sponsored four recent conferences on subjects such as child abuse prevention and the impact on children exposed to family violence.

526. The Initiative developed a long-term strategic plan to address family violence and member departments, including Health, Education, Housing, Justice and Community Services, have developed action plans to address family violence within their respective spheres.

527. The Family Maintenance Income Support Program assignment component (1991) is a voluntary program for clients who receive maintenance payments irregularly or not at all. They are provided with regular maintenance payments through their monthly benefits payments. In exchange, the client authorizes the Maintenance Enforcement Program to send all maintenance payments made by the non-custodial parent to the Department of Community Services.

528. The government announced a $760,000 initiative to address family violence in 1995, when it unveiled its multi-faceted Framework for Action Against Family Violence. Components include:

- the implementation of a pro-arrest, pro-prosecution policy
- an immediate response policy for police in cases of family violence, enforcement of peace bonds and restraining orders
- in cases where charges are laid, perpetrators will be arrested and removed from the home
- the courts will be asked to give priority to family violence cases and to move them swiftly through the system
- police forces will set up family crime units
- the enhancement of community-based victims' services (For example, eight new victim services projects were funded to provide advocacy and support to abused partners going through the justice system.)

529. This initiative enables justice workers to train front-line workers to deal with the reality

of domestic violence in the community. A training program for all 2,200 of Nova Scotia's justice workers is now offered on the dynamics of abuse, laws relating to family violence, and procedures for responding to incidents. A Family Violence Program Coordinator was hired in 1996 to develop and implement this training program and to assist in the implementation of new polices related to the Framework for Action.

530. In 1999, an evaluation of the Framework was released which showed the positive impact it has had on the response of the justice system to victims of family violence. Some key findings are:

- more than 3,000 justice workers were trained
- the charge rate has increased to 72 percent, compared to 44 percent in 1995
- police response times have improved from nine minutes to seven
- conviction rates now stand at 65 percent, compared to 60 percent in 1996-97

531. The Framework report noted that the justice system can respond swiftly to criminal acts, but has minimal impact on the dynamics of the abusive relationship. It recommended further review of the viability and effectiveness of innovative dispute resolution processes. It also recommended that government agencies continue to work with community partners to address the issue of family violence.

532. The *Maintenance Enforcement Act* (S.N.S 1994-95, c. 6) provides for the registration, collection and enforcement of maintenance orders under an administrative structure headed by the Director of Maintenance Enforcement. In 1996, amendments were made to the *Maintenance Enforcement Act* to clarify and improve the existing legislation. One amendment allows for quick resolution when dealing with those who fail to comply with a garnishment. The Director monitors payment of maintenance and may initiate or direct remedial actions necessary to enforce payment. In the past, garnishee orders required a court application, and court responsibilities for adjudication and enforcement overlapped. The new program separates these functions and increases enforcement effectiveness and accountability. In 1998, the program handled 13,000 cases, collecting $31 million of $39 million in maintenance payments due to custodial parents (usually women), for a collection rate of 79 percent. The Maintenance Enforcement Program has a staff of 22 enforcement officers. In 1998, 8,000 enforcement actions were initiated to recover monies owed to custodial parents.

533. There are nine transition houses in Nova Scotia funded by the Department of Community Services and two Mi'kmaq Family Treatment Centres funded through the federal government. They provide emergency shelter, support, referral and follow-up outreach services for women victims of spousal abuse and their children. In 1998-99, over 1,000 women received shelter services. Many more received the benefits of counselling and outreach. In 1996, the Department of Community Services, in partnership with the Department of Justice, funded eight Victim Support Projects with the purpose of providing enhanced support to victims of spousal abuse who interact with the justice system.

534. Since 1998, the Department of Community Services has assumed responsibility for the delivery of all social assistance programs, including the former municipal social services program which assists people whose need is of a shorter term. In addition, the delivery of employment support programs was standardized across the province.

535. The Department of Community Services provides funding for six men's intervention programs which provide treatment services to male perpetrators of spousal abuse. The sixth program was added in fiscal year 1998-99.

536. In 1998, the Advisory Council revised its publication *Making Changes: A Book for Women in Abusive Relationships*. The booklet provides practical, plain language information and advice for women in abusive situations. It is a valuable resource for women who need to make life-altering changes for themselves and their children. *Making Changes* is available in print form in English or French, on audiotape and in Braille from transition houses, women's centres, family courts, police, help lines, women's groups, community groups, libraries and the Canadian National Institute for the Blind (CNIB).

537. Women's centres saw increased funding as of the 1999-2000 fiscal year. There are six centres that provide support, advocacy, referral and information to women who require it for a wide range of issues, including housing, social assistance, violence and child care matters.

538. Over the last three years, draft standards were developed for transition houses and men's intervention programs. In addition, protocols are in place between transition houses, men's programs and children's aid societies to enhance reporting of child abuse.

539. The *Family Benefits Act* (R.S.N.S. 1989, c. 158) has as its purpose the provision of assistance to persons or families in need where the cause of need has become or is likely to be of a prolonged nature. Approximately 59 percent of the recipients are adults with disabilities that will prevent them from being employed for at least one year, and less

than 1 percent are senior citizens. Single parents make up 41 percent of the recipients, parents with disabilities make up 7 percent, and less than 1 percent are foster parents. In February 2000, there were 9,918 female single parents and 279 single male recipients of Family Benefits (about 20,250 children). All recipients except foster parents must qualify on the basis of need, that is, they must have insufficient income for their basic needs, based on figures set by the Department of Community Services. Family Benefits is assistance of a last resort, and applicants must demonstrate that they are not eligible for any other form of support such as from a spouse, employment insurance, etc.

New Brunswick

Introduction

540. This Report is the submission for the province of New Brunswick, covering the period from April 1, 1994 to March 31, 1998.

541. The Government of New Brunswick is committed to the improvement of opportunities for women through the development of policies and strategies which advance womens' participation in society.

Article 2: Anti-Discrimination Measures

542. On November 1, 1996, the New Brunswick *Vital Statistics Act* (S.N.B. 1979, c. V-3) was amended by substituting the gender neutral term "cleric" for the existing term "clergymen," in recognition that women have been appointed to perform marriages in New Brunswick.

543. In 1996, s. 4(5) of the New Brunswick *Change of Name Act* (R.S.N.B. 1973, c. C-2) was amended to remove the restriction that a spouse must be separated for at least one year before applying for a change of surname. Currently, it is necessary to provide the date of separation only and, if all other information supplied is satisfactory to the Registrar General, the application will be approved.

544. New Brunswick's Public Legal Education and Information Service (PLEIS) is a non-profit organization which receives financial and in-kind support from Justice Canada, the New Brunswick Law Foundation and the New Brunswick Department of Justice. The Service fosters access to the justice system by informing and educating the public about the law. It places particular priority on reaching disadvantaged groups, including women.

545. Since 1994, PLEIS has undertaken Family Violence Programming which addresses family violence issues generally and produces information products specifically to help abused women understand their rights. Among many others, one such product is an educational video entitled *Changing the Ending*. A booklet called *Spousal Assault: What do Victims Want and Need From the Police?* was developed to sensitize police to the needs of abused women.

546. Family Law Programming in PLEIS has grown as there is considerable demand for family law materials and self-help guides to family law matters which tend to be of particular relevance to women. There have already been materials produced on matters such as custody and access, as well as spousal and child support. PLEIS is also about to release a child support variation kit and a revised guide for doing your own divorce in New Brunswick.

Article 3: Measures to Ensure the Advancement of Women

547. In 1993, responsibilities for women's issues were reassigned from the Women's Directorate to line departments. These departments continue to play a leadership role in the development of policies and programs specific to their mandates which support the women of the province. In 1994, coordination responsibilities were assigned to the Executive Council Office as Chair of the Interdepartmental Committee on the Status of Women. The Committee is composed of officials involved in the development of social and economic programs and policies that affect the status of women. The Honorable Marcelle Mersereau is the Minister Responsible for the Status of Women in New Brunswick.

548. The New Brunswick Advisory Council on the Status of Women is a body which exists to inform the public on issues of concern to women. It continues to advise the provincial government on issues which directly or indirectly affect women's lives.

Article 4: Temporary Special Measures

549. As an employer, the Government of New Brunswick continues to actively support employment equity initiatives which work towards social, economic and political equality for women in New Brunswick's public sector.

550. As an employer, the Government of New Brunswick is committed to providing a work environment in which all individuals are treated with respect and dignity. It is the employer's responsibility to prevent and eliminate harassment in the workplace.

551. The Employment Equity Program for women has been in place in Part 1 of the New Brunswick Public Service since 1985. Part 1 of the Public Service includes line departments.

552. Departments and agencies in Part 1 of the Public Service continue to work towards the implementation of qualitative and quantitative goals, to ensure increased representation at levels where women are currently under-represented. Departments and agencies continue to implement flexible work arrangements and initiatives aimed at providing harassment-free workplaces.

Article 5: Elimination of Stereotypes

553. Teachers and Guidance Counsellors are currently working closely with the Muriel McQueen Fergusson Foundation/University of New Brunswick Centre for Family Violence Research on two research projects: Creating Peaceful Learning Environments and Dating Violence at the Junior and Senior Levels.

554. The focus of the Education and Development Branch of the New Brunswick Human Rights Commission is to develop and produce high quality programs and products which promote equality and compliance with the *Human Rights Act*. Among other educational programs developed recently is a four-part television series entitled *Vision for Equality*. Aired across the province, the series included an episode on sexual harassment.

555. The New Brunswick Human Rights Commission has presented numerous workshops to groups throughout the province in the public, private and not-for-profit sectors on a wide variety of human rights issues including those dealing with the human rights of women. Topics included "Sexual Harassment in the Workplace", "Harassment in a Health Care Setting" and "Harassment in Schools."

556. In 1996, only candidates who were either female or from a visible minority were admitted to the Atlantic Police Academy from New Brunswick. The aim of this measure was to increase the representation of females and visible minorities in the police forces throughout the province.

557. Under the direction of the Department of the Solicitor General, the Saint John Regional Correctional Centre offers various ongoing female offender programs and workshops on topics such as parenting, self-esteem, anger management, assertiveness, self-awareness, community awareness and effective interpersonal communication.

558. Working in conjunction with the police and Crown prosecutors, staff of the Community and Correctional Services Branch of the Department of the Solicitor General assist in preparing victims and witnesses for the rigors of giving testimony in court. Particular attention is given to the needs of abused women and children.

559. The Trauma Counselling Project (funded by the Victim Services Fund) also aims to assist women and child abuse victims to participate in the criminal court process. In this project, private specialists are hired on a case-by-case basis for trauma counselling.

560. All victims of crime in New Brunswick may now make a Victim Impact Statement describing the harm and suffering they have experienced as the result of a crime. A court may consider a Victim Impact Statement when determining the sentence to be imposed on an offender. Since 1991, there have been 1,558 Victim Impact Statements submitted to court, with 80 percent of those having been made by women.

561. New Brunswick is a National Pilot Site for the project "Gathering Statistics on Woman Abuse". This project is under the direction of the Department of the Solicitor General, the Department of Justice, the RCMP "J" Division and the province's Chiefs of Police Association. It consists of gathering and analyzing statistics on child, woman and elder abuse and bringing that abuse to the attention of the criminal justice system. The program was operational at the end of 1995.

562. The New Brunswick Interdepartmental Committee on Family Violence continues to monitor, recommend and coordinate government initiatives related to all forms of family violence.

Article 7: Women in Politics and Public Life

563. In 1998, 8 out of 55 members of the Legislative Assembly of New Brunswick were women (15 percent).

564. In 1998, there were four female members of the Executive Council of New Brunswick.

565. In 1994, Mrs. Margaret Norrie McCain was the first woman to be appointed as Lieutenant Governor of the province of New Brunswick. Following Mrs. McCain, a second woman, Dr. Marilyn Trenholme, was appointed in 1997.

566. In 1998, 5 out of 17 Cabinet Ministers were women (29 percent).

567. In 1998, 5 out of 21 Deputy Ministers in New Brunswick were women (24 percent).

568. Of the 711 candidates for positions as municipal councillors and mayors in the municipal elections of May 1998, 191 were women (27 percent).

569. Between 1994 and 1998, two out of five appointed provincial court judges were women,

bringing the total number of female provincial court judges to three.

Article 10: Education

570. The New Brunswick Department of Education has reviewed curriculum material to ensure that it is free of stereotypes and portrays women in a positive light. In this regard, *A Checklist for Detecting Bias and Stereotyping in Instructional Materials* was developed and is distributed to schools on an ongoing basis.

571. The New Brunswick Department of Education, in partnership with the Advisory Council on the Status of Women, has implemented several programs designed for children, including the Take Our Kids To Work Program which encourages both females and males in Grade 9 to spend a day in the workplace of their parents.

572. October is Women's History Month in New Brunswick. During this month, each school receives an information package, including several articles and a quiz on the province's famous women, which is used to educate students on the accomplishments of New Brunswick women.

573. The Professional Development and Innovation Branch of the New Brunswick Department of Education supports the Women in Educational Administration-NB (WEA-NB), an organization which supports female educators/administrators who wish to improve their administrative skills and opportunities.

574. In October 1995, the Department of Education sent a "Raising Young Voices" kit to every school district in the province and to any school who wished to have one. The kit addressed gender socialization and was designed to facilitate discussion among parents, teachers and school district administrators.

575. The Department of Education has implemented several educational programs which emphasize that career choice is for all students and that all occupations are available to both males and females. Among others, "Futures" is a program distributed to middle schools which provides gender neutral education about all occupations, and invites both females and males to examine their interests and options as they prepare for high school. "Women in Cyberspace" was a conference held in October 1997 which brought together girls from every high school in the province to learn about career opportunities in the information technology field. In addition, various information packages, posters and Internet website pages supporting non-traditional careers for women have been forwarded to school guidance councillors.

576. Women Abuse Protocols have been distributed to all personnel at the Grade 7 level and

above. Schools are inviting transition house workers in their local communities to make presentations to students about the problems of dating violence.

577. Guidance counsellors are incorporating the issue of dating violence and sexual harassment into their curriculum. To assist in this endeavour, the Department of Education has increased the number of videos and films, etc., distributed to schools that deal with dating violence, sexual harassment and violence in schools.

578. The Career and Life Management component of the Foundation Years Program is a compulsory program of study for Grades 9-10 which deals with human sexuality. Health and physical education studies at the Grade 11 level include a survey of various lifestyle practices in a course compulsory for high school graduation.

579. Media Studies at the Grade 12 level is a prescribed elective course which includes a decoding of media violence, sex roles, stereotyping and misleading portrayals of women.

580. Appropriate parenting skills are developed through the curriculum in the Foundation Years Career and Life Management component at the Grade 12 level with the elective course on Family Living.

581. The dropout rate of female students in Grades 7-12 declined from 2.4 percent in 1994 to 2.3 percent in 1997.

582. The Department of Advanced Education and Labour awards 10 scholarships annually through the Women's Doctoral Scholarships. The Women's Doctoral Scholarships award up to $5,000 to selected women for up to four years of doctoral study.

583. The Department of Advanced Education and Labour funds and administers a Multiculturalism Program, which aims to increase the participation of immigrant women in the economic, social and political life of the province.

584. The Department of Finance and the Department of Advanced Education and Labour have implemented the Summer Mentorship for Female Students program. This ongoing program provides 14 weeks of summer employment for female students, and gives them an opportunity to be mentored by civil servants in senior level positions or women working in non-traditional jobs.

585. The Department of Advanced Education and Labour oversees the JET Stream program (Job Experience for Tomorrow). This program provides students with summer jobs to help them finance their education and gives them valuable work experience needed to

find a job after graduation. In 1994-95, there were 2,344 JET Stream participants, 1,431 of whom were women (61 percent).

586. Since its inception in 1988, the Visible Abilities Initiative (administered by the Department of Advanced Education and Labour) aims to increase the participation of persons with disabilities in the labour force. Although the ongoing program is not specific to women, approximately 55 percent of the registry are women.

587. As of March 1998, a workplace harassment policy for municipal employees was being developed by the Solicitor General's Task Force on Workplace Harassment.

Article 11: Employment

588. In 1997, women over the age of 15 comprised approximately 45.1 percent of New Brunswick's labour force.

589. From 1992 to 1998, the Department of Human Resources Development administered a program entitled NB Works, in cooperation with the Department of Advanced Education and Labour and Human Resources Development Canada. This project provided people on social assistance with the opportunity to upgrade their education and skills to help them compete in the labour market. As of 1996, 852 participants were in various phases of the continuum, and 727 of these were women. Over 70 percent of these participants have not returned to the social assistance caseload.

590. Families with children who are not in subsidized housing and who pay more than 30 percent of their social assistance on rent are eligible for a monthly supplement of $90 per month (from November to April) and $60 per month (from May to October). As of February 1995, 6,430 families had taken advantage of this Income Security Benefit.

Article 12: Health

591. The Department of Health and Community Services continues to operate Reproductive Health Clinics. The objectives of these clinics are to: decrease the incidence of unplanned pregnancy among adolescents and young single adults; promote healthy sexuality and informed decision making among young people in the province; and assist parents to feel more confident in their role as the primary sex educator of their children. During 1994-95, 12,493 visits were made to the clinics.

592. In 1995, the province of New Brunswick instituted organized services for breast cancer screening. Before that time, only one third of the province's women over 50 years of age

had ever had a mammogram. The objectives of this initiative are to have 70 percent of women, aged 50-69 years, participate in breast cancer screening services and to increase accessibility of breast cancer screening services for the earliest possible detection and treatment of breast cancer.

593. The Department of Health and Community Services conducted an information campaign in the fall of 1996 entitled "Don't Kid Yourself." The aim of the campaign was to inform teens and their parents on how to reduce the risks of teen pregnancy and to promote awareness of existing services.

594. Through the Day Care Assistance Program, the Department of Human Resource Development provides financial assistance to low-income families to help them access quality daycare at an approved daycare facility. More than 1,110 children are receiving assistance for full- or part-time daycare with an estimated budget in 1996-97 of $4.2 million.

Article 13: Economic and Social Life

595. The by-law of the *New Brunswick Arts Board Act* continues to require that Juries for Artistic Merit reflect a balance of the seven artistic disciplines, as well as gender, language and region.

596. In 1994, the province adopted a sports and recreation policy which ensures equal opportunities for all persons.

597. The Department of Economic Development and Tourism has an ongoing entrepreneur program called Self-Start. One of the main target groups is women. As of February 1998, there had been a total of 1,576 approvals, with 599 being for females since the program's inception in December 1989.

598. The Department of Municipalities, Culture and Housing administers the Residential Rehabilitation Assistance Program, which assists low-income homeowners occupying substandard housing to repair, rehabilitate or improve their dwellings to acceptable levels of health and safety.

599. The Department of Advanced Education and Labour offers several programs to help people wishing to start their own businesses. The Student Venture Capital provides students with interest-free loans of up to $3,000. In 1994-95, there were 126 participants, 30 of whom were female. The Entrepreneur Program gives unemployed individuals a chance to run their own businesses by guaranteeing a business loan with the bank. In

1994, there were 253 participants, 101 of whom were female.

600. Families in New Brunswick with a net income of $20,000 or less receive an annual tax-free payment of $250 for each child under age 18 living at home. Families with a net income of $20,000 or more may receive some benefits, depending on their income and the number of children.

601. The New Brunswick Geographic Information Corporation gives an allowance to a maximum of $200 toward the payment of property tax to homeowners whose total family income does not exceed $20,000. Approximately 40,000 homeowners in New Brunswick will qualify for this allowance in 1998.

Article 14: Rural Women

602. The Department of Agriculture and Rural Development operates Rural Riches Trading Co., which assists cottage industry producers to market their products.

603. The New Brunswick Farm Women's Association receives funding from the New Brunswick Department of Agriculture. This Association lobbies for women and families living on farms in New Brunswick. The New Brunswick Women's Institute also receives funding from the Department of Agriculture. The Institute is a provincial organization that works to promote equality for rural women.

604. The Department of Agriculture continues to sponsor a farm management program. Surveys have found that more than 60 percent of New Brunswick farm women have taken business management courses.

Article 15: Legal Rights

605. The Department of Justice and the Department of the Solicitor General, in partnership with the Law Society of New Brunswick, sponsors Domestic Legal Aid. This program provides legal services for victims of spousal abuse to help them leave abusive relationships. This program also provides necessary legal services for dependent spouses to obtain adequate support and/or child support agreements and orders.

606. The Department of Health and Community Services operates 12 transition houses in New Brunswick. The purpose of a transition house is to provide safe, short-term accommodation to abused women and their children. One of the transition houses is for Native women and children and is jointly supported by the federal Department of Indian Affairs.

607. Discrimination on the basis of sex and sexual harassment continue to be the largest sources of formal complaints to the New Brunswick Human Rights Commission. Out of the 189 formal complaints filed between April 1, 1996 and March 31, 1997, 35 were of discrimination based on sex and 32 were based on sexual harassment.

Article 16: Women and the Family

608. The Department of Justice and the Department of Human Resources Development continue to initiate policies designed to ensure that all persons with a legal responsibility to provide support to a spouse and/or children fulfill their obligations.

Québec

Preliminary Remarks

609. In 1997, Canada submitted its *Core Document Forming Part of the Report of States Parties* to the United Nations. This document includes information on the country's general political structure and legal human rights protection framework. In the context of this report and to add to its usefulness, additional details are provided on justice and immigration.

610. Justice in Canada is a shared jurisdiction. The provinces have full jurisdiction over property and civil law. However, Québec law differs substantially from that in other provinces; while Québec civil law is governed primarily by the provisions of the *Civil Code*, the other Canadian provinces rely on British common law.

611. With regard to criminal law, the Canadian Parliament has exclusive jurisdiction over the establishment of offences and penalties. Québec is responsible for enforcing the *Criminal Code* within its boundaries, and is also empowered to institute provincial penal offences.

612. In addition, Québec has exclusive jurisdiction over the administration of justice, which includes the creation, maintenance and organization of civil and criminal courts, as well as the establishment of applicable civil procedure. Jurisdiction over criminal procedure is vested in the federal Parliament.

613. Immigration is also a shared jurisdiction. However, over the years and more particularly since 1971, Québec has acquired additional powers through the conclusion of agreements on the selection of immigrants wishing to settle in Québec. Categories for which Québec is responsible include refugees selected abroad, other persons in distress and independent applicants. Québec still cooperates with the federal government on family reunification and refugee status recognition, but is solely responsible for settling immigrants within the province.

Introduction

614. In accordance with Article 18 of the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW), the Government of Québec hereby submits its contribution to the Fifth Report, which deals with the measures adopted between

April 1, 1994, and March 31, 1998, and discusses progress made.

615. The Committee is asked to note that the articles mentioned below (the "Québec Context") refer to information contained in the section on Québec's contribution to *Canada's Fifth Report on the Convention on the Elimination of All Forms of Discrimination Against Women.*

616. The Québec Context — The period in question coincides with the election of a new government, which decided to pursue the province's 1993 policy on the status of women *La politique en matière de condition féminine. Un avenir à partager* (reference: *Canada's Fourth Report*, paragraphs 343-346). To the policy's four strategies (financial independence for women, respect for women's physical and psychological integrity, elimination of violence against women, recognition and appreciation of the collective contribution of women), the government, on April 29, 1997, added a fifth — the role of women in regional development.

617. This new strategy advocates that women in Québec be both active partners in and beneficiaries of changes brought about by the current regionalization process. This process is aimed at making political power more accessible to Québec residents. Since an increasing number of responsibilities will be assumed by local and regional authorities, it is paramount that women be represented in equal numbers on these bodies, and that their situation and interests be taken into account.

618. As the time line for the policy is 10 years, three implementation phases were planned. In 1997, as Phase II, the government adopted the 1997-2000 Action Plan for Women Throughout Québec [Program d'action 1997-2000 pour toutes les Québécoises], an adaptation of the Beijing Platform for Action to the realities, values and priorities of Québec society and the special concerns of the province's women. The program is the result of extensive deliberation and consensus-building conducted with 35 departments, government and paragovernmental organizations, and partners from civil society, primarily women's NGOs and female university researchers. It is a fulcrum, an anchor, and a support structure that incorporates the goal of gender equality into the government's daily, ongoing activities, mainly in the area of reducing socioeconomic disparities. The program provides a framework for action by Québec on the status of women until the turn of the century, and comprises three mobilization projects, 43 sector-based measures and 15 local and regional measures.

619. The three mobilization projects that constitute the pillars of the Action Plan are so called because they address important, urgent problems for women and involve the concerted action of several departments and agencies. These projects are as follows:

- a project geared toward institutional and political action — "Introducing Gender-based Analysis in Government Practices" (Article 3)

- a project dealing with an urgent social problem — "Preventing Early Pregnancies and Providing Support for Teenage Mothers" (Articles 10(f) and 12(1))

- a project that focuses on the future of women in the economic sphere — "Supporting Progress by Québec Women in the Sciences and Technological Innovation" (Articles 10(a) and 11(1)(c))

620. The 43 sector-based measures, involving 22 government departments and agencies, are centred around eight themes that combine the 12 key fields from the Beijing Platform for Action:

- employment and entrepreneurship (Articles 11 and 14)
- poverty and social injustice (Articles 11 and 13)
- power sharing (Article 7)
- education and training (Articles 5 and 10)
- health and wellness (Article 12)
- violence (Article 1)
- international cooperation (Article 8)
- recognition of and respect for women's rights (Articles 1, 15 and 16)

621. The 15 local and regional measures have been implemented to support both axes of the fifth strategy, which is aimed at providing a role for women in regional development — i.e., the equitable representation of women in local and regional government and the consideration of the interests and situation of women by those authorities (Article 7).

622. Over the period in question, two major events also influenced action taken on the living conditions of Québec women: the "Bread and Roses" march organized in June 1995 by the Québec Federation of Women, which focused public attention on female poverty and gave rise to certain social economy infrastructures (Article 11); and the Summit Conference on the Economy and Employment held in the fall of 1996, which resulted in the establishment of the Anti-Poverty Fund [Fonds de lutte contre la pauvreté par la réinsertion au travail] (Article 11) as a complement to the Independent Community Action Fund [Fonds à l'action communautaire autonome] created in 1995 (Article 1).

623. Three main policies reaffirmed the government's intention to improve the living conditions of Québec women in three key areas: violence (Article 1), the family

(Article 11(2)), and health (Article 12).

624. 1998 marked the 25th anniversary of the Council on the Status of Women, which for a quarter century has guided and accompanied the efforts of Québec women toward equality, greater rights, and better social, economic, political and cultural conditions.

625. To complete the information in this report, Québec has submitted the documents listed in Appendix 1.

626. In the area of legislative action between 1994 and 1998, Québec passed or amended more than 60 acts affecting the rights and living conditions of women. The seven main pieces of legislation are: the *Act to Facilitate the Payment of Support* (S.Q. 1995, c.18, s. 13); the *Pay Equity Act* (S.Q. 1996, c. 43, s. 11); *An Act to Amend the Civil Code of Québec and the Code of Civil Procedure as Regards the Determination of Child Support Payments* (S.Q. 1996, c. 68, s. 13); the *Act to Amend the Act Respecting Labour Standards as Regards Annual and Parental Leave* (S.Q. 1997, c. 10, s. 11(2)); the *Act to Institute, Under the Code of Civil Procedure, Pre-Hearing Mediation in Family Law Cases and to Amend Other Provisions of the Code* (S.Q. 1997, c. 42, s. 5(*b*)); the *Act to Amend the Taxation Act and Other Legislative Provisions of a Fiscal Nature* (S.Q. 1998, c. 16), which provides in particular that child support payments are tax exempt (s. 13); and the *Act to Extend the Effect of Certain Provisions of the Act Respecting the Practice of Midwifery Within the Framework of Pilot Projects* (S.Q. 1998, c. 26, s. 12(2)).

Article 1

627. Several measures taken to implement Article 1 of the *Convention on the Elimination of All Forms of Discrimination against Women* have been mentioned in previous reports. Section 10 of Québec's *Charter of Human Rights and Freedoms* meets the requirements of the Convention by making it illegal to discriminate based on factors such as sex, pregnancy, sexual orientation or marital status.

628. In Québec, as elsewhere in Canada, conjugal violence is a criminal offence. In December 1995, the government announced a multi-sector policy on this issue, entitled "Prevent, Detect and Stop Spousal Violence," as well as a cross-sector action plan containing 57 commitments.

629. In developing this policy, which focuses not only on women but also on children because of how the latter are affected by violence, Québec drew heavily from the *Declaration on the Elimination of Violence Against Women*, adopted December 1, 1993 by the United Nations General Assembly.

630. In its definition of conjugal violence, the policy includes psychological, verbal, physical and sexual abuse, as well as attempts at economic domination. Violence does not result from a loss of control; rather, it is a means chosen to dominate another person and assert power over that person. It can be experienced inside or outside of marriage, at any time of life.

631. The policy, which was developed in partnership with the government, paragovernmental organizations, the community, universities, special interest groups and experts, is based on the need to decompartmentalize and consolidate government action in the area of conjugal violence and make it more effective, as well as to bring about a common understanding of the problem.

632. "Prevent, Detect and Stop Spousal Violence" focuses on four aeas of intervention: prevention, detection, specially targeted services, and coordinated psychosocial, legal and correctional measures. The policy is based on the need for society as a whole to become involved in the effort to eliminate conjugal violence.

633. The first area, prevention, is based on the promotion of gender equality among both children and adults; the school system is thus called on to play a major role.

634. The second area, detection, is aimed at providing all establishments and agencies concerned with the means to systematically detect conjugal violence, despite the reservations generally expressed by victims.

635. The third area, specially targeted services, emphasizes services that are adapted to meet the needs of particular target groups, such as women who live in remote areas, disabled women, elderly women, Aboriginal women, female immigrants, and lesbians, as well as gays and men who have been abused by their spouses.

636. The fourth and last area proposes more effective and efficient psychosocial, legal and correctional measures.

637. The 57-commitment action plan has already been implemented. One of the main measures involves local and regional coordination and joint action. Since 1995, more than 800 people from the fields of education, health and social services, justice, public safety and the community sector have participated in the work of various regional and subregional consultation committees.

638. The policy has also resulted in the conclusion of a number of detection, referral and

intervention protocols between local and regional conjugal violence resources. In the police, judicial and correctional sector, measures aimed at improving victim protection have been adopted. Now, for example, when police officers are called to a scene involving domestic violence, they systematically seize all firearms. Private areas have been reserved for victims of conjugal violence at all courthouses in Québec and, where justified by volume, a single courtroom has been reserved for cases of spousal violence. Files are given to specialized prosecutors who follow through on cases from start to finish, and victims are informed if their attackers have been released, are on a day pass, or are out on parole.

639. Work on a prevention and awareness campaign on violence against women began in 1997, and involves government and community partners. The campaign emphasizes the promotion of gender equality among children and provides information on less well-known forms of violence, such as psychological abuse. The first phase of the campaign was launched in December 1998.

Statistics

640. According to the last available police statistics for Québec, dating back to 1997, 11,559 women have called on the police to report a problem of conjugal violence. Young women are more likely to be the targets of violence. Very young women (18-24 years) seem particularly vulnerable to male violence. The most common charges are assault (7,877), threats (2,143) and criminal harassment (1,057). According to the last major survey on violence toward women conducted by Statistics Canada in 1993, 25 percent of Québec women 18 years of age and over, who were married or living common law have been subjected to conjugal violence, as compared with 29 percent of women nation-wide.

Support Services

641. The services available to female victims of conjugal violence were described in Appendix 1 of Québec's contribution to Canada's Fourth Report (pp. 80-82).

642. In 1998, the 27 establishments belonging to the Fédération des ressources d'hébergement pour femmes violentées et en difficulté du Québec provided shelter to 2,984 women and 2,423 children. The average length of stay was 20 days. Telephone consultation was provided to 10,761 shelter residents, 12,556 non-residents, and 10,970 former residents. A total of 6,890 referrals and 88,762 other services were also provided by telephone. As for on-site services, 40,368 interventions and interviews were carried out with shelter residents, 4,417 with non-residents, 3,956 with former residents, 8,718 with child residents, 663 with child non-residents, and 221 with former child residents.

643. Establishments belonging to the Regroupement provincial des maisons d'hébergement et de transition pour femmes victimes de violence conjugale, for their part, provided shelter for 3,633 women and 3,233 children in 1997-98. They also responded, by telephone or on site, to 55,524 requests for assistance from non-residents.

Financial Resources

644. As part of the Community Organization Support Program [*Soutien aux organismes communautaires*], regional health and social services boards allocated some $21.3 million in 1995 to 98 women's shelters and the two provincial shelter associations. In 1998, the amount was $23.3 million. Over and above this sum, $2.2 million was granted in 1997-98 to agencies working with violent spouses — double the figure injected in 1995. While three such resources were subsidized by the Department of Health and Social Services in 1985, thirty-one received funding in 1998.

645. Until 1995, the 10 years of dependence imposed by the *Act Respecting Immigration to Québec* (R.S.Q. 1994, c. I-O.2) made female immigrants extremely vulnerable to all forms of violence. In the fall of 1995, however, Québec amended the *Regulation Respecting the Selection of Foreign Nationals* to reduce the spouse's sponsorship from ten to three years, thus reducing that dependence.

646. In cooperation with community partners, the Department of Citizen Relations and Immigration (MRCI) has provided training on conjugal violence to staff from immigrant orientation and training centres, front-line workers, and socioeconomic assistance officers.

647. It is impossible to provide statistics on this specific group, because police statements, in accordance with Québec's non-discriminatory practices, do not take into account factors related to race or ethnic origin when reporting offences involving violence.

648. A multi-sector task force established in 1994 submitted its report entitled *Les agressions sexuelles : STOP* [Sexual Assault: STOP] in June 1995.

649. To follow up on the report, the government set up an interdepartmental action plan, the principal measures of which target the adoption of public strategy on sexual assault, the establishment of specialized police teams where necessary, as well as teams of Attorney General's prosecutors who specialize in sexual assault cases, and the improvement of victim services.

650. To assist it in its endeavours, the government struck an advisory committee made up of representatives from the various communities concerned with the problem. The committee's policy paper focused on the promotion of gender equality among young people, prevention of sexual assault, detection, and psychosocial, legal and correctional measures.

651. While the policy paper was being developed, work was conducted to meet specific needs: the medico-legal kit used by physicians during examinations of sexual assault victims was updated; a protocol for victims was established for health care institutions; and a medico-legal guide for medical staff was prepared.

652. Two reviews of the literature were made to shed light on the phenomenon of teenage sex offenders and to better identify the impact of psychosocial and legal intervention on child sexual assault victims. A pilot project to improve the uniformity of data collected on conjugal violence and sexual assault is also being conducted.

Support Services

653. The main support services for female sexual assault victims are offered by sexual assault centres (CALACSs). In 1998, 22 such centres existed in Québec, 17 of which belonged to the Regroupement québécois des CALACS.

654. These centres provide support for women and teenage girls who have been sexually assaulted: in 1995-96, for example, they helped more than 2,586 women. Their work consists in informing victims of the recourse available to them, helping them deal with the after-effects of a recent or past assault (individual follow-up, support groups) and the fact they have been assaulted, helping them regain control over their lives, and providing moral support during the legal process.

655. Another important aspect of the mission of these centres is prevention and public awareness. CALACSs are working to change the conditions that encourage sexual assault. On average, they reach some 9,000 people annually via their awareness and prevention activities.

656. Other resources also offer support and services to sexual assault victims, including: hospital emergency rooms, local community service centres (CLSCs), private consultation services, crime victims' assistance centres and the crime victims' compensation service.

Financial Resources

657. In 1998, CALACSs received approximately $2.7 million in grants through the Community Organization Support Program, which is administered by the regional health and social services boards.

Statistics

658. According to data gathered by the Canadian Centre for Justice Statistics, in 1997, Québec posted the lowest rate of sex crimes in all of Canada. The Québec rate was 58 offences per 100,000 inhabitants; the Ontario rate, the only other coming in at below 100, was 89 per 100,000 inhabitants. The figure for Saskatchewan was 183, and that for the Northwest Territories, 947.

659. In 1995 in Québec, 2,833 sexual assaults against women were reported to the police. According to Statistics Canada, only 14 percent of women report an assault.

660. In the area of collective advocacy, the Independent Community Action Office [*Secrétariat à l'action communautaire autonome*] was created in 1995 to administer the Independent Community Action Fund [*Soutien à la défense collective des droits*], which receives 5 percent of all public casino receipts. The Office's annual budget rose from $9 million in 1995 to $11 million in 1997.

661. The Office has changed its programs in order to allocate part of its budget to rights advocacy and promotion agencies. In 1996-97, almost one quarter of the budget for the Collective Advocacy Program was split among 17 regional women's group coordination committees throughout the province.

Article 2(b)

662. Over the period in question, 687 of the 3,529 files opened by the *Commission des droits de la personne et de la jeunesse du Québec*, Québec's Human and Youth Rights Commission, dealt exclusively with complaints of discrimination or harassment against women based on sex or pregnancy. As for complaints of discrimination and harassment based on sex, pregnancy or marital status (especially in the employment sector) that reached the courts, the situation is as follows for the period discussed by the report: 33 are awaiting judgment, 4 have resulted in a decision, and 13 were settled out of court.

Article 2(c): Protection of Women's Legal Rights

663. Since January 1990, Québec's Human Rights Tribunal has been empowered to determine the merits of complaints of discrimination or exploitation. Given that most decisions rendered by this body concern the employment sector, some of those rendered during the period in question will be discussed under Article 11(2)(a).

Article 2(e) and (f)

664. Like many other Western societies, Québec society is now multicultural. This new ethnic diversity has led to a series of disagreements and competing claims that constitute a challenge for any society seeking to call itself a democracy. With respect to women's rights, multiculturalism can have its own complications. A controversy surrounding the Muslim headdress (or "hijab") in schools led the Québec Human Rights Commission to conclude, in a study paper entitled *Le pluralisme religieux au Québec : un défi d'éthique social* [*Religious Pluralism in Québec : A Social and Ethical Challenge*], that prohibiting the veil in public institutions was incompatible with the *Charter of Human Rights and Freedoms*, and also that a private religious school could not require teachers of another religion to wear clothing associated with the institution's official religion. As a result, the private school in question made the hijab optional for its non-Muslim staff. In order to shed light on the issue, the Department of Education published a guide on religious diversity, and the Council on the Status of Women issued a document entitled *Diversité culturelle et religieux; les enjeux pour les femmes* [*Cultural and Religious Diversity: A Study of the Stakes for Women*], as well as a notice on women and diversity, *Droits des femmes et diversité*. Both publications were widely distributed in 1997.

665. In Québec, the value placed on gender equality is enshrined in legislation that applies to all and cannot be overridden, even in the name of cultural and religious differences. In 1979, in its *Convention on the Elimination of All Forms of Discrimination against Women*, the United Nations recognized that culture and religion are often invoked to restrict the rights of women.

666. The women's movement has been divided on this question — for some, wearing the hijab represents a manifestation of female servitude, while for others its prohibition involves the risk of marginalizing the young women who wear it, thus jeopardizing their integration into society and even their access to education.

Article 3: Measures to Ensure the Advancement of Women

667. In May 1997, the Government of Québec adopted the 1997-2000 Action Plan for Women

Throughout Québec, in which it followed up on commitments made during the UN Fourth World Conference on Women (Beijing, 1995), in particular by means of a mobilization project involving gender-based analysis (GBA) in government practices. The measure is intended to produce a simple, effective tool that can eventually be applied to any government action liable to have a different effect on women and men.

668. As defined in Québec, GBA "is a process that is intended to discern, at the creation and development stage, the particular effects of a policy, program or other measure on women and men affected by its adoption, taking into account their different socioeconomic and cultural circumstances."

669. Work conducted since September 1997 has shown that there is no universal method of gender-based analysis. Each country and government must develop its own approach, taking into account the specific characteristics of its social, political, economic and legal organization, as well as its culture and values. GBA is a framework that can be used to shed light on any differential consequences based on gender that a given measure will have. The use of the method involves an examination of factors that lead to discrepancies between the economic, social and cultural situation of women and men, as well as the availability of data broken down according to sex.

670. GBA was implemented by the Québec government in 1997-98, after the following steps had been conducted:

- a review of the literature, in particular documents issued by the Commonwealth Secretariat and the Council of Europe; and a study of trials being carried out by the federal and provincial governments (Saskatchewan, British Columbia, New Brunswick, Newfoundland), and the governments of New Zealand and of the Scandinavian countries
- a study of departmental and governmental mechanisms applying to the development and adoption of acts, policies, programs and other measures
- an inventory of data broken down by sex provided by the Institut de la statistique du Québec, Québec's statistical institute, and other departments and agencies
- the organization of advisory meetings with individuals from NGOs and the university research community

671. This initial phase demonstrated the vital importance of support from the highest level of government. Accordingly, Québec obtained the backing of its premier and the entire

government for the project, and made the Treasury Board Secretariat and Executive Council Office jointly responsible for its implementation.

672. Thanks to the financial participation of the public, private and institutional sectors, the women's movement in Québec was able to purchase a building (called the "La Maison Parent-Roback" in honour of two union and social action pioneers) to house 10 national and regional women's federations (representing 1,200 groups across the province), a feminist publishing house, and a documentation centre specializing in women's issues and popular education. The province has allocated $107,000 to support this project.

Article 4: Temporary Special Measures

673. With regard to access to employment opportunities, the program on equal employment opportunities for women in the public service (1992-1997) has been extended pending a report from the Treasury Board. The percentage of women in all job categories has grown, even though the total number of government employees has shrunk considerably — representing 44.2 percent of regular employees in April 1994, women accounted for 48.4 percent in March 1998.

Percentage of Women in Québec's Public Service, by Job Category

Job Category	April 1, 1994 (%)	March 31, 1998 (%)
Professional staff	16.7	20.4
Training staff	29.7	32.8
Technical staff	38.7	40.7
Office staff	42.4	48.4
Peace officers	11.7	14.5
Labourers	2.0	2.4

Source: Treasury Board, *L'effectif de la fonction publique du Québec*, 1998.

674. Proportionately, representation of women in the supervisory category rose from 14.1 percent in 1994 to 17.5 percent in 1998 at the upper management level, and from 16.7 percent to 20.4 percent at the middle management level. Despite this progress, however, the figures failed to meet program objectives.

675. In the area of employment equity in the construction industry, in implementing a remedial plan developed by Québec's Construction Commission, the government adopted major regulatory provisions to promote women's access to the construction industry, and maintain and increase their numbers in this sector.

676. Since November 1997, the *Regulation Respecting Placement of Employees in the Construction Industry* has ensured that available, qualified women are referred to employers in a given region on a priority basis. The *Regulation Respecting the Issuance of Competency Certificates* has also been amended. Now, an apprentice competence certificate can be issued to a woman upon confirmation that an employer is prepared to hire her, without the need for a guaranteed number of hours worked; this provision also facilitates renewal of both the apprenticeship certificate and the occupation competence certificate.

677. These changes have had a marked impact on women's access to the construction industry, but the maintenance and increase of their numbers are not yet significant. Individuals in charge of implementation feel the program should remain in place for 10 years; realistically speaking, therefore, the objective of incorporating and keeping 2,000 women in the industry could be realized by the year 2005.

678. Contract obligation is a measure that requires companies with 100 or more employees that obtain government contracts or grants of $100,000 or more to establish an equal employment opportunities program for women, visible minorities and Aboriginals.

679. Of the 154 firms subject to the Contract Obligation Program at December 31, 1997, 92 had submitted an initial report by December 1998, enabling the Human and Youth Rights Commission to establish a basis for analysis. Although these years were characterized by a considerable shrinkage in the labour market (a 7.5 percent reduction in staff of the companies concerned and a 4.9 percent cut in jobs from categories targeted by the Program), female personnel rose 3.4 percent. There was a considerable increase in women in management and professional positions (varying from 1 percent to 13 percent, depending on the sector involved) and supervisory posts (from 2 percent to 18 percent).

Article 5(a)

680. Québec's Department of Citizen Relations and Immigration (MRCI) has helped promote the province's values on gender equality through host, socioeconomic integration and "francization" programs, the latter being aimed primarily at female immigrants.

681. Annual awards by the Minister of Education (Responsible for Youth) are intended to recognize the work of those who have developed high quality instructional material. The competition has been held at the college level for 20 years, and was launched at the university level in 1997. One of the categories highlights the promotion of gender equality and comes with a prize of $3,000 for each recipient.

Article 5(b)

682. The 1997 *Act to Institute, Under the Code of Civil Procedure, Pre-Hearing Mediation in Family Law Cases* (S.Q. 1997, c. 42) provided for the establishment of a family mediation program beginning in September 1997. Family mediation is defined as a means of conflict resolution in a context of family breakdown by which an impartial mediator helps the spouses negotiate an equitable agreement that is concluded with the free, informed consent of both parties. The main goal of mediation is to arrive at a viable agreement, outside the legal sphere, that meets the needs of each family member. If there is a dispute, therefore, couples with children participate in an information session on mediation before being heard by the court. The parties may then decide to continue the mediation process. Couples are entitled to a maximum of six *free* mediation sessions to reach an agreement on custody, visiting and outing rights, support payments and division of family assets.

683. Exceptions to the process may be made if one of the spouses is under duress, or on other serious grounds such as conjugal violence.

684. In matters of family law, Québec recognizes the joint responsibility of parents toward their children in all cases, which means that the equal interests and obligations of both mother and father are taken into account in settling disputes.

Article 7: Women in Politics and Public Life

685. At the municipal level, the number of women in elected positions continues to grow slowly. The percentage of women mayors rose from 8.9 percent to 9.4 percent between 1994 and 1997, while that of female municipal councillors increased from 19.5 percent to 21.7 percent (see Appendix 2).

686. On the provincial political scene, 18.4 percent of Members of the National Assembly in 1994 were women; this figure rose to 20.0 percent in 1997. For the same years, the percentage of female government ministers rose from 19.0 percent to 22.7 percent (see Appendix 2).

687. In the school system, after the elections of November 20, 1994, 53 percent of women chaired school boards and 46.4 percent were board members, making for gender parity in these positions.

688. With the movement towards regionalization, new local and regional structures have

gradually sprung up during the 1990s. On regional development councils, women represented 15.2 percent of board members in 1994, whereas in 1997 the figure was 18.0 percent. Women on regional health and social services boards accounted for 33.8 percent of board members in 1994; in 1997 the rate stood at 36.9 percent (see Appendix 2). In 1997, women represented 41.1 percent of board members in establishments responsible for delivering health care and social services at the local level.

689. In the public service, representation of women in executive positions rose significantly between April 1994 (21.8 percent) and March 1998 (28.5 percent). In particular, there was an increase in the number of female deputy ministers (from 14.3 percent to 27.6 percent), as well as assistant and associate deputy ministers (from 12 percent to 25.7 percent). Overall, women now represent one quarter of all executive positions, and are on the way to accounting for one third, thanks to the government's firm determination in this regard (see Appendix 3).

690. There have also been gains with regard to the presence of women on the bench. In total, the proportion of female judges was 11.8 percent in 1994, while in 1997, the figure stood at 16.1 percent. In the municipal courts the ratio rose from 6 percent to 11 percent; in the Court of Québec, from 12 percent to 18 percent, and in the Superior Court, from around 12 percent to 18 percent. The proportion of women judges in the Court of Appeal has held steady at 25 percent (see Appendix 4).

Article 8: Women as International Representatives

691. Québec participated in all steps of the Fourth World Conference on Women (Beijing, China, September 1995). The province's contribution took the following shape:

- participation in preliminary meetings held by the Francophonie (Nouakchott, Mauritania, July 1994, and Dakar, Senegal, November 1994), organized under the aegis of the Agence de coopération culturelle et technique
- participation, as part of the Canadian delegation, in the European/North American Regional Preparatory Meeting (Vienna, Austria, October 1994)
- drafting of a report entitled *Stratégies du Québec pour les femmes — Bilan, constats et perspectives 1985-2000* [*Québec's Strategies for Women — Overview, Findings and Prospects 1985-2000*] and submission of this report to the UN by Canada and distribution to government delegations at the Beijing Conference, as well as to UN agencies

- presence, within the Canadian delegation, of a six-member Québec mission headed by the Minister Responsible for the Status of Women, at the Beijing Conference;

- publication and distribution in three languages (French, English and Spanish) of Québec's priorities and strategies for the occasion

692. Between 1994 and 1998, the Secrétariat à la condition féminine [Secretariat on the Status of Women] participated in other international events dealing with various related themes:

- the UNESCO International Symposium entitled "Women and the Media: Access to Expression and Decision-Making" (Toronto, Canada, April 1994)

- the OECD Conference on Women Entrepreneurs in SMEs: A Major Force in Innovation and Job Creation (Paris, France, April 1997);

- the Fourth European Ministerial Conference on Equality Between Women and Men (Istanbul, Turkey, November 1997).

693. Québec's participation at the Beijing Conference highlighted the benefits of discussions with other governments with innovative or complementary strategies on women's issues, or with administrations that hope to take advantage of our knowledge in this area. The experience also emphasized the need for closer monitoring of international trends and an evaluation of their repercussions on our own policies.

694. Accordingly, between 1996 and 1998, Québec sent task forces to Morocco, France and Tunisia, and signed an agreement with the latter for a five-year (1998-2002) cooperative program on women's rights and living conditions.

695. From April 1994 to March 1998, the Office of the Status of Women hosted 23 delegations from as many different countries — in particular Thailand, Japan, Belgium, Russia, Haiti, Benin, Rwanda, Tunisia and Morocco, all of which were interested in discussing women's issues.

696. The Department of International Relations, which is involved in the 1997-2000 Action program, has undertaken to:

- promote the province's expertise on women's issues at the international level

- enhance the involvement of Québec women in the institutions of other countries and multilateral international bodies

- monitor changes in international trends that could influence Québec policies on women's issues

Article 10: Education

697. In the fields of education and training, the number of women with degrees in Québec continued to rise between 1994 and 1998 at all levels; in fact, women even constituted the majority of students at the college and undergraduate and graduate university levels.

Article 10(a): Access to Studies

698. However, the breakdown by sex varies greatly according to field of study. There is an over-representation in traditional areas such as the social sciences, health, education and the arts, and an under-representation in the applied sciences, especially engineering, computer sciences, physics and data processing (see Appendices 5 and 6).

699. In order to ensure that women are on the cutting edge of major economic trends, have access to well-paid jobs with a future, and participate fully in the knowledge-based economy, the government has undertaken a project aimed at supporting and sustaining the progress made by Québec women in science and technology. This is one of the three mobilization projects that form part of the 1997-2000 Action Plan for Women Throughout Québec.

700. To carry out this project, an interdepartmental committee was struck in the spring of 1997. The committee is composed of departments and agencies that, by reason of their mission, are more directly involved with the problem and the approaches envisaged. The committee is to submit a government action plan designed to improve the situation.

701. With regard to non-traditional occupations, the Department of Education has implemented various measures to enhance the career choices open to girls and women. In 1995, in cooperation with the business community and other sponsoring departments, the Department restored the "Chapeau, les filles!" competition, in which scholarships from $500 to $1,000 are awarded to regional winners who then become eligible for a number of provincial awards, such as paid internships and training periods abroad. Winners' names are announced at a public ceremony, which helps eliminate resistance to careers in non-traditional trades and occupations.

Article 10(e): The Same Opportunities for Adult and Functional

Literacy Programs

702. Thanks to a financial contribution of $300,000 (spread out over two years) from Québec's Department of Culture and Communications through the Information Highway Fund, the NetFemmes project was implemented in 1997-1998. The project goals included creating a website that is both a resource centre and a meeting place, and training women to use new information and communications technologies. NetFemmes is spearheaded by the Centre de documentation sur l'éducation des adultes et la condition féminine, in partnership with seven provincial women's groups numbering several thousand members, and the Regroupement québécois des chercheures féministes, an organization of more than 100 female researchers from the university, community and government sectors.

Article 10(g)

703. In 1998, the Department of Municipal Affairs published a study paper entitled *Les jeunes et l'activité physique, Situation préoccupante ou alarmante?* [*Young People and Physical Activity: Cause for Concern or Alarm*?] for physical education teachers and sports instructors working with young people. The document pays particular attention to the situation of girls.

704. Upon entering high school in Québec, only 46 percent of girls regularly engage in physical activity, as compared with a figure of 68 percent for boys. On average, teenage girls aged 12-17 spend barely four hours a week in physical activity, as compared to nine hours for boys the same age.

705. The study paper gave rise to a major two-year (1998-2000) awareness campaign aimed at countering inactivity and obesity in young women. Kino-Québec, an agency of the Department of Municipal Affairs, will work with the Fédération des éducateurs et éducatrices physiques enseignants du Québec and the Québec Student Sport Federation in this endeavour.

Article 11: Employment

706. In Québec's labour market, women are growing as an economic force, not only as qualified workers but as entrepreneurs. Since 1992, the participation rate of women has remained relatively constant at 54 percent.

707. From 1994 to 1997, the unemployment figure for women dropped slightly from 11.3 percent to 10.8 percent, continuing to come in at below that for men, which stood at 11.9 percent. However, the length of unemployment rose. For women, the average

unemployment period went from 24.8 weeks to 27.8 weeks, although this number still remained below the average figure for men, which was 34.5 weeks in 1997.

708. Women still work in a restricted number of sectors. In 1996, almost 25 percent of the female labour force was concentrated in only five occupations — secretary, sales clerk, cashier, accounting clerk and nurse. This concentration is much less noticeable among men (12 percent). Furthermore, the five main jobs occupied by women are generally less well paid than those dominated by men.

709. At the same time, between 1994 and 1997, there was a growth in the number of women in more unstable jobs, such as part-time employment, temporary or contract employment, and self-employment.

710. Between 1994 and 1997, an increasingly large proportion of the female labour force occupied part-time jobs, with more women, proportionally, in this type of work. In 1997, 27.3 percent of jobs occupied by women were part time, as compared with 25.6 percent in 1994. In contrast, the situation for men remained steady at a conspicuously lower rate of 10 percent.

711. From 1994 to 1997, self-employment figures continued to rise. Women represented almost one-third of the self-employed and accounted for the increase in this type of work in the same proportion. The status of self-employed women is similar to that of their salaried counterparts: that is, proportionally more women occupy part-time jobs and earn less income than their male peers (70 percent of women, as compared with 28 percent of men, earn less than $10,000 per year). It is estimated that 43 percent of self-employed women work part time, while this is true for only 14.3 percent of self-employed men. Average income for all women for whom self-employment constitutes a main business or secondary activity is 40 percent below that for men in the same situation, and this discrepancy increases progressively with age.

712. A committee established by the Department of Employment and Solidarity and the Department of Labour to examine the problem of self-employment submitted its report in November 1997. The government then pursued its deliberations by creating two working subcommittees, one on the status of self-employment and taxation, and the other on support for entrepreneurship, employment and job development.

713. Close on the heels of the 1997-2000 Action Plan for Women Throughout Québec, a government task force on female entrepreneurship was established in April 1997. This task force filed its report, entitled *Entreprendre au féminin* [*Enterprising Women*], in November of the same year. The report's recommendations are aimed primarily at

facilitating access to financing, networking and information for female entrepreneurs. To implement those recommendations, the Department of Industry, Commerce, Science and Technology made administrative changes at the regional level in order to help women take advantage of Department services. The government also announced the creation of a consulting group on entrepreneurship to advise it on the best measures to be taken in this regard.

714. Despite an unfavourable economic climate, the number of businesses run by women has climbed dramatically. In 1994, approximately one firm in three was run by a woman; in 1991, the ratio was one in four. Over that period, the job growth rate in companies run by women was 13.6 percent. In 1994, these undertakings accounted for 358,200 jobs. However, female entrepreneurs are still found mainly in the traditional service sector.

715. Access to credit is one of the main difficulties experienced by female entrepreneurs. There are marked discrepancies in this area between female and male entrepreneurs, and research has shown that companies run by women borrow from financial institutions less often than those run by men. Also, when female entrepreneurs apply for financing, they are turned down much more often than men (23 percent versus 14 percent). Financial institutions ask women who own businesses to put up a guarantee, security or collateral more often than their male counterparts (74 percent as compared with 64 percent). Women are also more likely to be required to have their spouse co-sign a loan (25 percent) than men (13 percent), and they often pay higher interest.

716. Given these facts, in 1998 the Department of Industry and Commerce produced a video entitled *Prêt pour un prêt* in an effort to facilitate meetings with bankers. This tool comes with a plain language guide filled with examples that illustrate concepts and make financial jargon more understandable, enabling users to properly word their applications and prepare for negotiations.

717. With regard to labour standards in the province of Québec, the hourly minimum wage rose from $6 on October 1, 1994, to $6.80 on October 1, 1997, a 13 percent increase in three years. Over the same period, the hourly rate for tip-earners went from $5.28 to $6.05, a hike of approximately 15 percent. These increases constitute a major gain for women since, in March 1998, the latter represented 61 percent of the province's 137,000 minimum-wage earners.

718. Working conditions for live-in domestics have also improved. Between 1994 and 1997, minimum weekly compensation rose from $233 to $264, and the normal work week was reduced from 53 to 49 hours. Furthermore, since February 1, 1998, employers can no longer require live-in domestics to pay room and board, thus improving the working

conditions of these employees even more.

719. On November 21, 1996, the Government of Québec passed the *Pay Equity Act* (S.Q. 1996, c. 43), which came into effect on November 21, 1997.

720. The purpose of the Act is to "redress differences in compensation due to the systemic gender discrimination suffered by persons who occupy positions in predominantly female job classes." It applies to any private or public sector firm with 10 or more employees.

721. This legislation contains detailed provisions for implementing the pay equity process; it provides for employee participation and stipulates how to establish a pay equity program for companies with 50 or more employees.

722. The Commission de l'équité salariale [Pay Equity Board] established under the Act puts a variety of tools at the disposal of employers to aid them in their endeavours. Employers have until November 21, 2001, to determine if adjustments in compensation are required, and until November 21, 2005, to pay such adjustments (in equal annual instalments). In the long run, it is hoped that the *Pay Equity Act* will make it possible to eliminate that portion of the wage gap, up to half, due to systemic discrimination (the other part being attributable to such factors as women's seniority, experience, lower educational level and lower unionization rate). Between 1995 and 1997, the last three years for which statistics are available, the ratio of average earnings for Québec women working full time year round varied at around 75 percent of that for men.

723. Over the past 20 years, in the wake of economic recessions and market and industry changes, the spectre of poverty has continued to haunt Québec despite sustained government efforts to mitigate the problem. Certain population groups are more likely than others to become and remain poor. In this regard, the status of women continues to be of concern. In 1996, according to Statistics Canada's after-tax low-income cutoff (LICO) figures[1] (1992 base), about 42.1 percent of women under 65 living alone were below the low-income cutoff point, as compared with 36.2 percent of men. This discrepancy is exacerbated for people 65 and over, with the respective rates being 47.7 percent and 27.4 percent. The proportion of female single parents under the low-income cutoff is estimated to be 41 percent.

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[1] These cutoffs represent income levels below which families spend more than 20 percentage points above the average on food and housing. According to this measurement, poverty is defined primarily in relative terms (i.e., in relation to allocation of income) and not in absolute terms (i.e., in relation to certain standards of needs fulfilment). According to this approach, poverty will always exist in Canada, unless income distribution becomes strictly egalitarian. However, this does not mean that the needy will not have enough income to ensure their livelihood, health and well-being.

724. The last Canadian Census, which took place in 1996, showed that single-parent families accounted for 16 percent of all families in Québec, and 82 percent of those were headed by women (after a breakup, women are most often given the custody of children). Between 1991 and 1996, however, there was a slight increase in the number of single-parent families headed by men (see Appendix 7).

725. Access to employment represents the best individual means of fighting poverty, provided that the income earned is sufficient and stable. Accordingly, any action that improves labour market integration for women helps them ward off destitution and achieve economic independence, while at the same time contributing toward the fight against social injustice.

726. The Québec government, aware of the seriousness of the situation, took several initiatives at the Summit Conference on the Economy and Employment in October 1996, in particular by establishing the Anti-Poverty Fund and providing support for the development of a *social economy*, in response to requests from women's groups.

727. At the October 1996 Summit, union, management and community groups suggested that a gesture of solidarity be made toward the poorest of the poor, and reached a consensus on the creation of a special $250 million fund. This Anti-Poverty Fund, to be allocated over three years, is made up of equal contributions from individuals and companies, including financial institutions. The *Act to Establish a Fund to Combat Poverty Through Reintegration Into the Labour Market* (S.Q. 1997, c. 28) was given assent by the National Assembly on June 12, 1997. For the first fiscal year, ended March 1998, women were the recipients of 29 percent of all jobs created by Fund-related projects. If forestry development projects are excluded, that figure rises to 64 percent. Women represented 51 percent of training program participants and 39 percent of those involved in job integration activities and private enterprise internships.

728. In June 1995, the "Bread and Roses" Women's March against Poverty Coalition submitted nine demands to the government, one of which was for a social infrastructure program. At the conclusion of the march, a policy and coordinating committee on social economics made up of representatives from women's groups was formed to advise the government on encouraging stable jobs in related fields. In May 1996, a report was filed and regional social economy committees were established to examine viable projects.

729. Province-wide, the Summit Conference on the Economy and Employment provided an impetus for the social economy through financial support for a number of specific projects. By March 1998, thanks to this initiative, 2,629 jobs had been created and 611 had been consolidated (no gender-based data on job distribution are yet available for

this first year).

730. In 1997, concrete measures were taken to promote access to employability development, training and labour force integration for female income security recipients and single parents whose youngest child had reached the age of 5. Between May 1, 1997 and April 1, 1998, 2,884 of these women took advantage of the measures in question, as part of a process based on action adapted to their needs and involving the cooperation of community and institutional agencies.

731. In an effort to develop a specific strategy for under-employed groups, the Québec Government has provided financial and technical support for a number of different advisory committees. The Comité aviseur Femmes [Advisory Committee on Women] was established in November 1996 to optimize the government's ability to act on women's issues. Integrating women into the labour force and keeping them there involves special considerations and demands a specific approach. The Committee, which reports to Employment Québec, includes women from all areas of the province who work in local and regional development.

732. As part of the reform of public housing assistance for low-income families, especially single-parent families, the Québec government, in 1997, adopted certain strategies and an action plan. This reform resulted in:

- The October 1997 establishment of a unified, extended housing allowance for people 55 years and over (rather than 57, as was the case previously), families with children receiving income security benefits, and low-income workers with children. It is estimated that 75 percent of single-parent families are affected by this measure.

- The October 1997 creation of Québec's Social Housing Fund [Fonds québécois du logement social], which is to distribute $43 million annually for the construction of more than 1,800 social housing units a year, over a five-year period. The Fund also gave rise to Accès Logis, a program including the annual production of 1,325 co-op housing units. Of that number, 120 units are reserved for female victims of violence.

- The 1997 freeze on housing costs, for 15,000 unemployable income security recipients, at 25 percent of their income.

733. With respect to the fight against poverty, it is important to mention the basic issue of access to housing free from discrimination based on any of the criteria in the Québec

Charter of Human Rights and Freedoms. The Human and Youth Rights Commission has made impressive legal gains in this regard that have particular significance for women. In a case brought before the Commission on behalf of a social assistance recipient who had been refused housing, the Human Rights Tribunal concluded that, since the landlord had not bothered to inquire as to the woman's actual ability to pay rent, the complainant had been discriminated against on the basis of her social condition (*Commission des droits de la personne et des droits de la jeunesse du Québec v. J.M. Brouillette Inc.* (1996), 23 C.H.R.R. D/495). Furthermore, Québec courts have recognized that the refusal to let a dwelling on the pretext that, for example, three people should not occupy a 4½-room unit, constitutes a discriminatory practice because it prevents access by families with children, thus constituting indirect discrimination based on age (of the children) (*Desroches v. Commission des droits de la personne and des droits de la jeunesse*, [1997] R.J.Q. 1540 (C.A.)).

Article 11(1)(e)

734. The *Act Respecting Prescription Drug Insurance and Amending Various Legislative Provisions* (S.Q. 1996, c. 32) was passed in 1996. The new drug insurance plan gives everyone in Québec reasonable economic access to prescription medication. Almost 1.5 million Québeckers who previously did not have enough coverage benefitted from this insurance when it came into effect in January 1997. The plan entitles every Québec resident registered with the provincial health insurance board to basic pharmaceutical service and drug coverage.

735. As part of the initiatives taken to stimulate job creation in the social economy sector, a mechanism facilitating the payment of individuals working in the home care field — the service employment paycheque — was implemented in 1997. The goal of this measure was to reduce paperwork for the disabled and dependent seniors, provide a social safety net for home care workers, and reduce the incidence of unreported work in the social economics sector. Because of the type of home care eligible under the program (housekeeping, direct patient care, child care, etc.), the safety net for many female home care workers should become stronger, as employers — i.e., the disabled and dependent seniors — are now obliged to pay employer contributions to the Québec Pension Plan and Employment Insurance.

736. In October 1996, Québec's Workers Compensation Board, in cooperation with the Social Affairs Sector of the Association pour la santé et la sécurité du travail [Occupational Health and Safety Association], launched a project aimed at preventing injuries related to daycare work.

737. The project consisted of gathering complete data on daycare personnel, conducting an awareness campaign on "How to Live in a Child's World" [Comment vivre dans le monde des petits], and developing prevention tools (brochure, video, poster, newsletter). These tools, which were distributed to 1,200 daycares, are aimed at more than 10,000 daycare workers, 98 percent of whom are women.

738. In 1996, 532 daycare staff received Workers Compensation benefits; for the same year, 28,500 days of work were lost because of absences stemming from a work accident or occupational illness, for an average length of 54 days per incident.

Article 11(2)(a)

739. During the period from April 1, 1994 to March 31, 1998 inclusively, the main legal decisions rendered in the employment sector by the Human Rights Tribunal bore on the application of s. 10 (discrimination on the grounds of sex or pregnancy) and s. 10.1 (sexual harassment) of Québec's *Charter of Human Rights and Freedoms*. Of the 17 cases in question, six dealt with sexual harassment, five with discrimination on the grounds of pregnancy, one with sexual discrimination, three with both sexual discrimination and sexual harassment, and two with discrimination and harassment based on sex, age and social condition. Of these complaints, the Tribunal allowed ten and dismissed seven (see Appendix 8).

Article 11(2)(b) and (c)

740. In June 1997, the Government of Québec published the *Livre blanc des nouvelles dispositions de la politique familiale* [*White Paper on New Elements of the Family Policy*]. This policy was designed to facilitate a reconciliation of parents' family and professional responsibilities, provide financial assistance for low-income families, develop early childhood education services, and support maternity and paternity. The policy's three main areas of action are: tax reform and family allowances, educational and early childhood services, and maternity and parental leave benefits.

741. With regard to educational services, since September 1997, the government has offered full-time Kindergarten to all children in the province. Although attendance is optional, 99 percent of 5-year-olds attend Kindergarten.

742. With respect to early childhood services, in September 1997, the Department of Child and Family Welfare (MFE) turned existing non-profit daycares and child care agencies into a network of early childhood centres providing services for children four years and under. In 1997-98, these services were available at a cost of $5 per day, and free of charge

for parents on social assistance, for children in that age group. The MFE also allocated $205.7 million in operating grants to early childhood centres and $28.3 million to commercial daycares.

743. As of March 31, 1998, the MFE had injected almost $2.5 million into the creation of new early childhood education spaces, representing an increase of 80 percent over the budget for the previous year. Part of that sum, or approximately $650,000, went toward new spaces for 4-year-olds from disadvantaged homes in the Montréal area. An amount of $92.9 million was also paid out as tax relief and child care assistance for low-income families.

744. Also at the same date, the Department of Child and Family Welfare was offering a total of 82,302 child care spaces, either in daycares or private homes, and the Department of Education provided 92,721 children with school daycare.

745. The new family allowance has replaced or modified certain programs previously in effect. Since September 1997, the allowance has varied in accordance with family status (single- or two-parent family), family income and number of children, and represented a sum of $407.2 million for the period from September 1, 1997 to March 31, 1998.

746. Family allowances are not the only source of financial assistance provided by the Government of Québec — several tax provisions are also available.

747. In 1997, the *Act Respecting Labour Standards* (S.Q. 1997, c. 10) was amended to extend parental leave from 34 to 52 weeks.

Article 12: Health

748. In the area of women's health in November 1996, the Department of Health and Social Services (MSSS) published *Derrière les apparences* [*Beyond Appearances*], a monograph on the health and living conditions of women that takes Santé Québec 1987 survey data, the findings of other specialized studies, and the results of the social and health survey conducted by Santé Québec in 1992-93, and puts them all into perspective. The work discusses developments in women's health and living conditions as well as women's own health concerns.

749. The most significant finding of the surveys was the impact of social and economic conditions on health. Poor women — i.e., single parents and elderly women living alone — are seriously at risk from several health viewpoints. Certain key times of life, such as adolescence and old age, also seem more difficult and stressful for women. Even more

significant, perhaps, are the numerous links between social status, health profile and behaviour.

750. The MSSS has developed a 1997-2000 action plan on women's health, wellness and living conditions that contains a number of measures designed to improve women's health and well-being. This action plan gives priority to evaluating the impact of network developments on families, relatives and workers, with the focus primarily on service organization changes and their consequences for caregivers and workers, who are mainly women. Related research projects are currently being planned or conducted.

751. The MSSS has also established the following measures to facilitate the task of caregivers:

- support programs for caregivers at the regional health and social services level
- additional funding for home care services provided by CLSCs as part of their home support and respite programs (From 1996-97 to 1997-98, this increase amounted to $50 million.)
- budgets to enable CLSC Info-Santé services to better meet the needs of people in helping and support relationships, most of whom are women

752. These services are used 85 percent by women. A three-year, $5-million recurring budget has been allocated to reduce call waiting time and increase response capabilities.

Article 12(1)

753. In Canada, Québec has the highest number of cases of AIDS among women and children. It is estimated that between 50 and 60 new cases are diagnosed annually among Québec women, most of whom are between 25 and 40 years of age. At December 31, 1996, 466 cumulative cases of AIDS had been reported among women in the province. Data on risk factors show that 29 percent of cases of AIDS in adult Québec women are associated with heterosexual contact as the presumed source of infection.

754. In June 1997, the Department of Health and Social Services announced Phase IV of its Strategy for Combating AIDS, 1997-2002 [Stratégie québécoise de lutte contre le sida, 1997-2002]. This phase will involve the consolidation and optimization of measures that have achieved positive results and the adoption of practices that meet the needs of vulnerable groups. Action will be geared toward three priority areas: prevention, basic and clinical research, and the organization of care and services.

755. In May 1997, the Department announced the implementation of a program aimed at significantly reducing the transmission of HIV from mother to child by means of an effective, currently available treatment.

756. The goal of the program is to ensure that all pregnant women and those trying to become pregnant are provided with pertinent information on HIV antibody tests and zidovudine therapy (ZDV or AZT). All pregnant women will be given the opportunity by their physician to take such a test, free of charge and on a voluntary basis.

757. In Québec in 1996, according to estimates on the detection of breast cancer:

- breast cancer was the form of cancer most often diagnosed among Québec women
- breast cancer constituted the second highest cause of death due to cancer among women
- 4,100 new cases of breast cancer were reported
- 1,450 deaths due to breast cancer were reported
- almost 80 percent of breast cancer cases involved women over 50

758. The Québec Breast Cancer Screening Program launched in October 1997 is open to all women aged 50-69. These women are urged to have a screening mammogram every two years. The program's objective is to reduce deaths due to breast cancer among Québec women in this age group (a population of some 750,000) by at least 25 percent over 10 years. The program will be implemented gradually in accordance with the specific needs, resources and problems of each region. An annual budget of $1.75 million has been allocated for the various activities involved, especially regional implementation.

759. In 1994, 29 percent of high school students smoked, as compared with 19 percent in 1991. This increase is especially notable among girls at all high school levels, whereas among boys the increase in prevalence is less significant.

760. A 1996 survey on smoking among young people showed that the habit was still on an upswing. Thirty-eight percent of all respondents said they smoked regularly or occasionally, with girls outnumbering boys 43 percent to 33 percent.

761. In 1994, in an effort to mount an effective campaign against smoking, Québec's Department of Health and Social Services designed and distributed an action plan centred

on three main areas: prevention, protection for non-smokers and cessation. The plan is based on internationally recognized principles and strategies.

762. To properly understand Québec's specific situation as concerns early pregnancy, one must statistically place the phenomenon in a wider context. The rate of early pregnancies in Québec has long been lower than that in the rest of Canada. In the under-18 age group, the Canadian rate was 25.2 per 1,000 in 1980 and 25 per 1,000 in 1993. In Québec, the figure was 12.2 per 1,000 in 1980 and reached a ceiling of 19.8 per 1,000 in 1993. On the international front, at the end of the 1980s, Québec's rate for women in the 15-19 age group was 37 per 1,000, close to that of Sweden (35 per 1,000); the rate in the United States was 97 per 1,000.

763. A number of variables may explain the rise in the pregnancy rate among women under age 18 in Québec between 1980 and 1992. First, Québec has historically had a low early pregnancy rate because of strong condemnation from Catholic institutions. Second, the province witnessed a marked increase in the number of sexually active young people and a decrease in the average age at which sexual relations first occurred. Third, the fertility rate among teenage girls from poor homes is significantly higher; the difficult economic climate of the past few years may thus have been a contributing factor. Fourth, sex education services provided by the health and social services network and educational system have reached a plateau, if not declined.

764. The latest available statistics also show that the pregnancy rate among girls under 18 has stabilized, and even started to decline. For 1993, 1994 and 1995, the rate was 19.8, 19.0 and 18.5 per 1,000, respectively. This downward trend may be due in particular to the use of contraceptives such as condoms and the pill.

765. However, this reduction is found mainly among 16- and 17-year-olds; the rate for girls under age 15 appears to still be climbing (4.4, 4.6 and 5.4 per 1,000 in 1993, 1994 and 1995, respectively).

766. Although the situation is less alarming in Québec than elsewhere, the government nonetheless decided that, given the often dramatic consequences of early pregnancy, it was essential to take action to prevent such pregnancies and support teenage mothers. Accordingly, the problem is one of the priorities of the 1997-2000 Action Plan for Women Throughout Québec. A committee of representatives from the various government departments concerned was established and given a mandate to develop government-wide strategies and an action plan. The committee's goal is basically to promote joint action and coordination in all sectors.

Article 12(2)

767. The perinatal policy of the Department of Health and Social Services addresses the fact that needy pregnant women and future parents make such little use of the perinatal services offered by CLSCs. A pilot project was therefore carried out in 1995 in three areas of Québec (Eastern Townships, Laurentians, Montréal-Centre) to evaluate the possibility of having Labour-Québec centres and CLSCs cooperate in referring pregnant income security recipients to perinatal services provided by CLSCs and community agencies. The evaluation report, which was published in 1996, allowed the project to be extended to all areas of the province, an operation scheduled over three years.

768. According to 1995 MSSS statistics, approximately 30 percent of the some 27,000 women who obtain an elective abortion each year must travel to another health and social services region to obtain this service. About one third of all elective abortions are conducted at women's health care centres and specialized clinics that do not receive funding from the health network. These organizations must charge between $150 and $550 for expenses other than doctor's fees, for an average of $350 per abortion. In February 1996, the Department of Health and Social Services announced its family planning strategy, which comprised two priority objectives: a reduction in pregnancies among girls under 18, and improved access to family planning services, in particular abortions, in all areas of the province. Once these strategies had been adopted, regional health and social services boards began developing their own action plans to implement the two objectives.

769. In December 1997, the Conseil d'évaluation des projets-pilotes, a multi-disciplinary agency established under the *Act Respecting the Practice of Midwifery Within the Framework of Pilot Projects* (S.Q. 1990, c. 12), submitted its recommendations to the two government ministers concerned. The main recommendations were that:

- the practice of midwifery in Québec be officially recognized, that midwives be incorporated into perinatal teams and that the synchronization of front-line services be encouraged
- midwives be recognized as independent professionals in charge of continuous service delivery for mother and child from conception to six weeks after birth
- midwives be allowed to practise in a variety of locations and supervise births, especially in birthing centres, hospitals and private homes
- administration of birthing centres be taken over by CLSCs

- basic training for midwives be provided at the undergraduate level
- clinical training (with an emphasis on front-line training) be provided at all locations in which midwifery is allowed, under the supervision of an authorized instructor

770. In the spring of 1998, the Government of Québec undertook to follow up on the report and gave the Québec Professions Board a mandate to consult the stakeholders on a model for exclusive practice for midwives.

Article 13: Economics and Social Life

771. According to 1994 data, nearly 50 percent of marriages end in divorce. The consequences of such breakups are numerous. At the economic level alone, in 1994, 60 percent of single-parent families lived in poverty, as compared with 13 percent of two-parent families. Women and children are particularly affected, as 82 percent of all single parents are women.

772. The factors behind this state of affairs include spousal failure to pay regular child support and insufficient support amounts.

773. In 1995, Québec passed the *Act to Facilitate the Payment of Support* (S.Q. 1996, c. 18). This legislation created a universal system of child support collection by the Department of Revenue, which then pays the custodial parent. The Act also respects the independence of the individuals involved: the court can, under certain conditions and if it is convinced that both parties have consented freely, exempt the non-custodial parent from the obligation to pay child support to the Minister of Revenue.

774. Despite the corrective measures required to reduce administrative delays, the system has proven satisfactory, allowing for an increase in voluntary child support payments from 45 percent to 74 percent, according to the *Auditor General's Report, 1997-1998*.

775. Once the Act had come into effect, a follow-up committee was established to evaluate the program, make recommendations on how to rectify the situation, where applicable, and develop indicators to monitor results. The committee is to submit a report to the government by December 1, 2000, five years after the Act came into effect.

776. Since January 1, 1998, child support payments ordered by the court in the case of divorce or separation, *inter alia*, have been indexed in keeping with the terms of the judgment, or, failing this, automatically on January 1st of every year, in accordance with the annual

pension index. Annual indexation makes it possible to maintain the real monetary value of child support.

777. Before May 1, 1997, federal and provincial tax legislation obliged custodial parents to include child support in the calculation of their income, even though non-custodial parents could deduct support paid. This tax treatment was the subject of a dispute before the courts.

778. In June 1995, the Supreme Court recognized the legal validity of the tax rules in question. However, given public pressure and the problems generated by the tax treatment concerned, the government decided to make child support tax exempt — i.e., to no longer require custodial parents to declare it as taxable income or allow non-custodial parents to deduct it from their income.

779. This measure became effective on May 1, 1997, and applies to any judgment or written agreement concluded after April 30, 1997, that provides for the payment of child support or revises the amount of such support after that date.

780. Giving child support tax exempt status means that the custodial parent (in most cases, the parent with the lower income), not the non-custodial parent, is able to make greatest use of tax advantages.

781. The insufficiency of child support amounts is another factor in the poverty of women and children after a marriage breakdown. Accordingly, the Québec government developed a model for determining child support payments that came into force on May 1, 1997, at the same time as the federal model.

782. Under the new system, the support amount is calculated in accordance with the income of both parents, the number of children involved, the nature of the custodial arrangement and certain additional expenses, where applicable (medical costs, etc.)

783. However, the court may, if it is of the opinion that the amount of the payment determined under the model would result in undue hardship for one of the parents, or if the parents come to some other agreement that meets the child's needs, set support at a level other than that which would normally apply.

784. The rules for determining child support adopted in 1997 reduce ambiguity and the likelihood of contingencies and confrontations by setting forth specific criteria and rates governing particular situations, thus resulting in more rapid settlement of disputes and less stress between parties. The Québec model also affirms the joint responsibility of

parents toward their children, and makes support a top priority with respect to any expenses over and above the non-custodial parent's basic needs.

785. The Department of Justice, which is responsible for enforcing the model, is to submit a report within three years of its coming into force, that is, by May 2000.

786. In Québec, both the provincial and federal government collect income taxes. Québec is the only provincial government in the country to have its own tax collection system. Like the federal government, Québec treats individuals as tax units and enforces "progressive taxation," a system under which taxpayers with a greater ability to pay are more heavily taxed. The Québec system thus encourages the independence of individuals within the same household and a certain redistribution of the wealth of average- and high-income earners to those less affluent. Québec has also implemented several tax measures (deductions and tax credits) that are adapted to its particular aims and recognize certain special situations, such as the additional costs assumed by families with children.

787. Since January 1998, with the coming into effect of the tax reform for individuals, the tax burden on Québeckers has been reduced by approximately $500 million. Measures under the reform include a reduction in personal income tax, especially for low-income earners, and the promotion of labour force integration for low-income earners. If one considers that women generally earn less than men (Article 11) and that their participation in the work force is often influenced by taxation, the reform should have positive benefits for this half of the population.

788. The reform also completes the initiatives implemented under the new family policy (Article 11(2)) by improving financial support to families via the tax system. Income for couples with children and single parents will increase as a result of this reform. Tax assistance for families with children is aimed primarily at recognizing the additional costs involved in meeting the basic needs of children (tax credit for dependent children), encouraging parents to join the work force (child care expense credit), and reducing the tax burden on low-income families (reduced income taxes for families).

Article 14: Rural Women

789. In the area of agriculture, although girls have more years of schooling than boys, they are still not perceived as candidates for taking over the family business. The Department of Agriculture, Fisheries and Food is continuing to encourage the next generation of women farmers, awarding special mention to parents who support their daughters in this area of endeavour and granting scholarships to women enrolled in vocational dairy farming diploma programs. These measures seem to be producing conclusive results: the number

of women 40 years and under designated to take over the family farm rose from 142 in 1995 to 422 in 1997.

Articles 15 and 16: Legal Rights and Women and the Family

790. In Québec, gender equality is fully ensured in law. One of the key moments that marked this process was in 1964, when the province put an end to the legal incapacity of married women.

791. In 1975, the *Charter of Human Rights and Freedoms* officially prohibited, for the first time, any type of gender-based discrimination. The Charter was amended in 1982 to add pregnancy and harassment, and particularly sexual harassment, as prohibited grounds of discrimination.

792. In the early 1980s, an in-depth reform of family law improved legal protection for married women by recognizing their complete equality to exercise their civil rights, stipulating, in particular, that spouses have joint responsibility for the moral and material direction of the family and the exercise of parental authority. The reform also provided protection for the family residence by introducing a new remedy — the compensatory allowance — in case of separation, divorce or death.

793. Lastly, 1989 saw the passage of the *Act to Amend the Civil Code of Québec and Other Legislation in Order to Favour Economic Equality Between Spouses*. The Act deals with the division of family assets following a marriage breakdown; such assets consist primarily of family residences, household furniture, motor vehicles used for family travel, contributions made during the marriage by each spouse to the Québec Pension Plan, and benefits accrued during the marriage under a retirement plan. These basic reforms were followed by a variety of other measures, notably those relating to employment contained in the *Pay Equity Act* (S.Q. 1996, c. 43).

Appendix 1: Documents Filed with the Committee

Ministère de la Santé et des Services sociaux. *Les agressions sexuelles : STOP*. Rapport du groupe de travail sur les agressions à caractère sexuel. Québec, 1995, 187 pp.

Ministère de la Santé et des Services sociaux. *Plan d'action 1997-2000 : Santé, bien-être et conditions de vie des femmes*. Québec, 1997, 117 pp.

Ministère de la Santé et des Services sociaux, Ministère de la Justice, Ministère de la Sécurité publique, Ministère de l'Éducation, Secrétariat à la Famille et Secrétariat à la condition féminine. *Prévenir, dépister et contrer la violence conjugale — Engagements des ministères et de leurs réseaux*. Québec, 1995, 26 pp.

Ministère de la Santé et des Services sociaux, Secrétariat à la condition féminine, Ministère de l'Éducation et Ministère de la Justice. *Prévenir, dépister et contrer la violence conjugale — Politique d'intervention en matière de violence conjugale*. Québec, 1995, 77 pp.

Secrétariat à la condition féminine. *Condition féminine et droits. Sommaire des principales lois Québécoises ayant une incidence sur les conditions de vie des femmes*. Québec, décembre 1998, 190 pp.

Secrétariat à la condition féminine. *La place des femmes dans le développement des régions, 5^e^ orientation*. Québec, mai 1997, 67 pp.

Secrétariat à la condition féminine. *Program d'action 1997-2000 pour toutes les Québécoises*. Québec, mai 1997, 138 pp.

Appendix 2: Women in Positions of Power

Municipal Level

Municipal Representatives	1994		1995		1996		1997	
	W/T	%	W/T	%	W/T	%	W/T	%
Mayors	126/1,413	9	131/1,408	9	127/1,393	9.1	128/1,365	9.4
Councillors	1,721/8,835	20	1,748/8,792	20	1,750/8,690	20	1,848/8,505	22

W/T = Women versus total number.
Source: Department of Municipal Affairs, Government of Québec, 1998.

Provincial Level

Members of the National Assembly	1994		1995		1996		1997	
	W/T	%	W/T	%	W/T	%	W/T	%
MNAs	23/125	18.4	23/125	18.4	24/125	19.2	25/125	20
Ministers	4/21	19	6/20	30	5/22	22.7	5/22	22.7

W/T = Women versus total number.
Source: National Assembly.

Regional Decision-Making Bodies

Organizations	1994 (%)	1995 (%)	1996 (%)	1997 (%)
Regional Development Councils — Boards of Directors	15.2	15.5	17.1	18
Regional Health Boards — Boards of Directors	33.8	Not available	Not available	36.9

Sources: Department of Regions, Department of Health and Social Services.

Appendix 3: Senior Public Employees

Breakdown of Québec's Senior Public Service,* by Employment Category and Sex, April 1, 1994-March 31, 1998

Year and Employment Category	Men		Women		Total	
	Number	%	Number	%	Number	%
1994						
Deputy Minister	24	85.7	4	14.3	28	100.0
Assistant/Associate Deputy Minister	95	88.0	13	12.0	108	100.0
Agency Head	94	86.2	15	13.8	109	100.0
Officer	260	72.2	100	27.8	360	100.0
Total	**473**	**78**	**132**	**22**	**605**	**100**
1995						
Deputy Minister	26	96.3	1	3.7	27	100.0
Assistant/Associate Deputy Minister	91	87.5	13	12.5	104	100.0
Agency Head	94	85.4	16	14.6	110	100.0
Officer	274	72.5	104	27.5	378	100.0
Total	**485**	**78**	**134**	**22**	**619**	**100**
1996						
Deputy Minister	28	93.3	2	6.7	30	100.0
Assistant/Associate Deputy Minister	91	85.0	16	15.0	107	100.0
Agency Head	89	82.4	19	17.6	108	100.0
Officer	265	70.3	112	29.7	377	100.0
Total	**473**	**76**	**149**	**24**	**622**	**100**
1997						
Deputy Minister	25	75.6	8	24.4	33	100.0
Assistant/Associate Deputy Minister	78	72.2	30	27.8	108	100.0
Agency Head	83	79.8	21	20.2	104	100.0
Officer	243	69.0	109	31.0	352	100.0
Total	**429**	**72**	**168**	**28**	**597**	**100**
1998						
Deputy Minister	21	72.4	8	27.6	29	100.0
Assistant/Associate Deputy Minister	81	74.3	28	25.7	109	100.0
Agency Head	80	77.0	24	23.0	104	100.0
Officer	235	69.0	106	31.0	341	100.0
Total	**417**	**72**	**166**	**29**	**583**	**100**

*Includes only those in executive positions appointed by government prerogative in government departments and agencies.

Source: Executive Appointment Secretariat, Executive Council Office, Government of Québec.

Appendix 4: Women on the Bench

Women on the Bench

Municipal Courts			
At March 31, 1998	**Total Number of Judges**	**Total Number of Women**	**Percent**
1994	97	6	6.2
1995	96	6	6.2
1996	99	9	9.1
1997	94	10	10.6
1998	100	11	11.0

Court of Québec			
At March 31, 1998	**Total Number of Judges**	**Total Number of Women**	**Percent**
1994	290	37	12.8
1995	290	41	14.1
1996	290	46	15.9
1997	290	49	16.9
1998	270	49	18.2

Superior Court			
At March 31, 1998	**Total Number of Judges**	**Total Number of Women**	**Percent**
1994	143	17	11.9
1995	143	20	14.0
1996	143	22	15.4
1997	143	24	16.8
1998	143	26	18.2

Court of Appeal			
At March 31, 1998	**Total Number of Judges**	**Total Number of Women**	**Percent**
1994	20	5	25.0
1995	20	5	25.0
1996	20	5	25.0
1997	20	5	25.0
1998	20	5	25.0

Source: Québec Department of Justice, June 1999.

Appendix 5: Diplomas of College Studies

Percent of Technical DECs (Diplomas of College Studies) Issued to Women by Public and Private Colleges, by Program, 1994-96

Program	1994	1995	1996
	Women (%)	Women (%)	Women (%)
Biology	79.3	76.8	80.3
Physical science	15.7	16.5	15
Social science	69.45	67.4	73.9
Business administration	68	64.7	65.3
Applied arts	74.6	69.7	71.2
Total	58.9	57.8	59.2

Source: Department of Education. *Système de la sanction des études au collégial* (SSEC 1998-03-12).

Appendix 6: University Degrees

Percent of Bachelor Degrees Held by Women, by Field of Study, 1992-96

Field of Study	1994	1995	1996
	Women (%)	Women (%)	Women (%)
Health	75.4	73.9	74.1
Pure sciences	46.3	49.7	49.9
Applied sciences	25.9	25.1	26.3
Social sciences	63.6	63	64.9
Education	77.5	75.1	76.9
Administration	52.9	53.1	53.7
Art	62.6	64.8	63.9
Literature	71.3	72.4	73.2
Law	56.8	58.5	61
Multi-disciplinary Studies	64.1	67.8	66.4
Total	58.3	58.6	59.9

Source: Department of Education. *Système de recensement des clientèles universitaires* (RECU 1998-05-01).
N.B.: Does not include degrees conferred by the Collège militaire royal de Saint-Jean.

Appendix 7: Single-Parent Families

Changes in the Number of Single-Parent Families in Québec

Year	Single-Parent Families						All Families	
	Women		Men		Total			
	Number	(%)	Number	(%)	Number	(%)	Number	(%)
1991	221205	82.3	47645	17.7	268850	14.2	1883135	100
1996	252515	81.6	56920	18.4	309435	15.9	1949975	100

Source: Statistics Canada, 1991 and 1996 Censuses, *The Nation Series* tables.

Appendix 8: Legal Actions Involving Sexual Harassment

- *CDP v. Ville de Montréal et Marcel Bastien*, T.D.P.Q., N° 500-53-000003-495, December 14, 1994 (Simon Brossard J.). The complainant alleged sexual harassment by her foreman culminating in an incident in which he had forced her to masturbate him. The complainant claimed $15,000 for pain and suffering and $4,000 in material damages. The complaint was dismissed with costs by the Tribunal.

- *CDP v. Jacques Lemay*, T.D.P.Q., N° 615-53-000002-943, N° 615-53-000003-941, N° 615-53-000004-949, June 12, 1995 (Michael Sheehan J.). Three complainants alleged they had been sexually harassed by the general manager of the supermarket where they worked. The complaints were allowed with costs. Amounts of $2,000, $3,000 and $6,000, respectively, were awarded for pain and suffering.

- *CDPDJ v. Réginald Trudel*, T.D.P.Q., N° 700-53-000001-960, September 27, 1996 (Simon Brossard J.). The complainant claimed she had been sexually harassed by her employer, and in particular that he had made offensive remarks. As the complainant failed to testify at the trial, the complaint was dismissed with costs.

- *CDPDJ v. John Zervakis, faisant affaires sous la raison sociale « VITO SUBMARINE » et Joannis Chustoulakis faisant affaires sous la raison sociale « VITO SUBMARINE » et Maurice Loyer*, T.D.P.Q., N° 755-53-000001-964, June 6, 1997 (Simon Brossard J.). The Commission had entered a complaint of harassment in the workplace. The Tribunal dismissed the complaint with costs on the grounds of insufficient evidence.

- *CDPDJ v. Coiffures Woncor inc. faisant affaires sous la raison sociale de « Salon de coiffure Magicut » et Serge Therrien*, T.D.P.Q., N° 500-53-000082-872, March 9, 1998 (Simon Brossard J.). The complainant alleged that she had been sexually harassed in her job as hairdresser. The Commission was unable to prove the offensive nature of the actions of the defendant, and the complaint was dismissed with costs.

- *CDPDJ v. 2849-5224 Québec inc. faisant affaires sous la raison sociale de Restaurant Delicatessen chez Alexandra enr. et Georges Koutrouvideas*, T.D.P.Q., N° 600-53-000004-974, N° 600-53-000003-976, March 23, 1998 (Michael Sheehan J.). The complainants alleged they had been sexually harassed at work, and that this harassment took the form of repeated remarks and gestures of a sexual nature. The complaints were allowed with costs. Amounts of $3,000 and $2,000 for pain and suffering, and of $1,500 and $1,000 in material damages, respectively, were awarded to the complainants.

Legal Actions Involving Discrimination Based on Pregnancy

- *CDP v. Lingerie Roxana ltée*, T.D.P.Q., Nº 500-53-000005-940, February 23, 1995 (Michèle Rivet J.). Dismissal of a pregnant industrial sewing machine operator. The case was stated *ex parte* because the defendant declined to appear. The Tribunal allowed the complaint with costs and granted the complainant a sum of $3,500 in material damages and $5,000 for pain and suffering.

- *CDP v. La Commission scolaire de Jean-Rivard*, T.D.P.Q., Nº 253-53-000001-942, June 20, 1995 (Michèle Rivet J.). The complainant, a teacher, was refused a contract for religious instruction at the Secondary 1 level because she was pregnant. The complaint was allowed with costs, and $25,589 in material damages and $5,000 for pain and suffering were awarded to the complainant.

- *CDP v. Les Systèmes internationaux de fret Dillon Reid inc. et Joseph Courdi*, T.D.P.Q., Nº 550-53-000016-954, April 12, 1996 (Michèle Rivet J.). The complainant had been dismissed by her employer after returning from maternity leave. The claim for damages was dismissed with costs.

- *CDPDJ v. Ville de Montréal et Syndicat canadien de la fonction publique*, T.D.P.Q., Nº 500-53-000070-977, Nº 500-53-000071-975, November 21, 1997 (Michael Sheehan J). The City of Montreal discriminated on the ground of pregnancy by not crediting the employees concerned with seniority accumulated during maternity leave, even during the probationary period. The complaints were allowed with costs. One complainant received $2,934.67 in material damages and a retroactive seniority date; the other received a retroactive seniority date only.

- *CDPDJ v. Ville de Montréal*, T.D.P.Q., Nº 500-53-000084-978, March 20, 1998 (Simon Brossard J.). Complaint of discrimination in working conditions because of pregnancy. The Tribunal allowed the complaint, sentenced the City of Montreal to pay $7,500 to the complainant, and ordered the city to cease all future discrimination against pregnant employees and include seniority accumulated during absences due to pregnancy-related health problems in seniority

calculations.

Legal Actions Involving Sexual Discrimination

- *CDP v. Centre d'accueil Villa Plaisance*, T.D.P.Q., N° 115-53-000001-946, December 12, 1998 (Michèle Rivet J.). A policy involving gender requirements for reception centre attendants in a seniors' home was deemed to be discriminatory, as the employer failed to prove, in accordance with the criteria of rationality and proportionality set forth in the *Brossard* judgment, that the policy had any rational relationship with the goal in question or that it was proportional to that goal. In other words, the policy was deemed unnecessary to meet the needs of centre residents. The complaint was allowed in part, with costs.

Legal Actions Involving Sexual Harassment and Sexual Discrimination

- *CDP v. Dr Yvan Johnson et Clinique dentaire Yvan Johnson Inc.*, T.D.P.Q., N° 705-53-000004-948, April 18, 1995 (Michael Sheehan J.). A dental assistant had been subjected to humiliating and insulting behaviour by her employer, as well as remarks that were sexual in nature. The Tribunal concluded that she had been the victim of sexual harassment and sexual discrimination. The complaint was allowed with costs, i.e., $2,600 in material damages, and $5,000 for pain and suffering.

Legal Actions Involving Harassment and Discrimination Based on Sex, Age and Social Condition

- *CDPDJ v. Dr Favid O'Hashi*, T.D.P.Q., N° 500-53-000026-953, September 25, 1996 (Michael Sheehan J.). An action for damages against a physician for aggressive behaviour involving discriminatory harassment based on sex, age and social condition toward a nurse. This was not a case of sexual harassment, but one of aggressive behaviour. The complaint was dismissed without costs.

- *CDPDJ v. 2641-0431 Québec inc., faisant également affaires sous les noms André Gosselin Bois de foyer et Transport André Gosselin*, T.D.P.Q., N° 505-53-000004-967, N° 505-53-000005-964, March 10, 1997 (Michael Sheehan J.). The two complainants accused the female manager of a small polling firm employing four or five people of harassment (a charge usually leveled at men). The complaints were dismissed with costs.

Ontario

Introduction

794. This document summarizes and updates the measures that the province of Ontario has taken since the Fourth Report (for the period covering April 1994 to March 1998) with respect to provincial policies, legislation and programs relevant to the articles of the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW).

Articles 2 and 3: Anti-Discrimination Measures and Measures to Ensure the Advancement of Women

795. Ontario is committed to the strong enforcement of the *Ontario Human Rights Code* (the "Code") which provides every person with the right to equal treatment without discrimination because of sex, race, ancestry, place of origin, colour, ethnic origin, citizenship, creed and a number of additional grounds. The Code protects women from discrimination, including harassment and sexual harassment, under the ground of sex in the areas of services, contracts, housing accommodation, employment and vocational associations.

796. Specific sections of the Code operate to allow female-only services and/or facilities where this is necessary for reasons of public decency or for the protection of women from abusive situations. The Code permits special measures ("special programs") and protects organizations that promote women's right to equality, and employment that contributes to equal opportunity for women.

797. The Ontario Human Rights Commission continues to be the agency under the authority of the Code to enforce the right to freedom from discrimination on the ground of sex. In 1994-95, approximately 24 percent of all complaints to the Commission primarily involved discrimination on the basis of sex, pregnancy or sexual harassment. This figure was 27 percent for 1995-96, 26 percent for 1996-97, and 25 percent for 1997-98.

798. In 1995, the Government of Ontario introduced the Equal Opportunity Plan, based on the Code's prohibition against discrimination. The Plan embodies four basic principles:

- All individuals should be treated with dignity and respect.

- Action should be taken to eliminate discrimination and harassment.
- Barriers that prevent equal opportunity should be identified and removed.
- Employment decisions should be made based on individual merit and ability.

799. The Equal Opportunity Plan includes a range of components. For example:

- services to support the efforts of employers and employees to create fairer workplaces, including an information and referral service on a website
- government working in partnership with employers and employer associations to develop training and education resources and to demonstrate best practices in removing and preventing barriers to equal opportunity
- measures to improve access to professions and trades for those trained and educated outside Canada, including working with professional regulatory bodies to develop models to assess and recognize foreign qualifications
- an equal opportunity guideline for police services
- measures to promote equal opportunity in the Ontario Public Service
- completion of a restructuring process at the Ontario Human Rights Commission to improve client service.

800. In 1996, the Ontario Human Rights Commission released its detailed policy statement and plain language brochure dealing with sexual harassment and gender-based discrimination (see paragraph 429 of *Canada's Fourth Report on the Convention on the Elimination of All Forms of Discrimination against Women*).

801. In 1997-98, the Commission modified its complaint procedures to ask callers reporting sexual harassment if they have personal safety concerns. Commission staff now direct such persons immediately to the appropriate authorities, i.e., the police, support groups and/or shelters. The Commission developed specialized training on sexual harassment to respond to these issues. In addition, the Commission ran a sexual harassment awareness campaign on local transit systems throughout the province.

Women Who Face Multiple Forms of Discrimination

802. Where specific human rights situations are not listed as grounds under the Code, the Commission has developed policies to give direction to address these issues directly or by linking them to enumerated grounds of the Code. For example, the Commission has published policies on Sexual Harassment and Inappropriate Gender-Related Comment and Conduct, Female Genital Mutilation (FGM), Discrimination and Language, and Discrimination Because of Pregnancy. The Commission has also revised existing policies to reflect international standards, where applicable. For example, the Policy on Discrimination Because of Pregnancy makes specific reference to the fact that Canada is a signatory to the United Nations *Convention on Economic, Social and Cultural Rights*. The Policy cites language in the Convention which provides for special protection of mothers during a reasonable period before and after childbirth.

803. The Commission, through the provisions of the *Guidelines for Assessing Accommodation Requirements for Persons with Disabilities*, has made employers and service providers aware of their duty to accommodate women with disabilities.

804. The Government of Ontario has implemented programs to foster the equality of women who face multiple forms of discrimination. Outlined below are some of the specific policies and programs aimed at assisting these women.

(i) Women with disabilities and senior women

805. In 1996, the Ontario Government introduced a community-based approach to promoting the dignity and interests of vulnerable adults (those who have difficulty expressing or acting upon their wishes because of a disability, medical condition, communication problem or advanced age). In addition, InfoAbility, a province-wide information and referral service with a resource database was launched to support vulnerable people, their families and caregivers.

806. The former Ministry of Citizenship, Culture and Recreation helped support a number of community programs to aid women with disabilities and senior women, including:

- Community Connections (1996), a grant program that supports coordination of local advocacy services for vulnerable adults
- community-based projects that provide violence prevention education on behalf of women with disabilities

- Good Neighbours, a campaign which promotes informal volunteer activities at the community level to assist vulnerable people (persons who are shut-in, frail, elderly, or with disabilities) within their homes and neighbourhoods
- Access Fund, refocused in 1996 under the Ontario Government's Equal Opportunity Plan to promote opportunities for persons with disabilities to work as volunteers and participate in employment bridging activities

(ii) Immigrant and visible minority women

807. The former Ministry of Citizenship, Culture and Recreation provided support for the community-based delivery of cultural interpreter services to help women who do not speak English or French, and who have been victims of violence, to access necessary shelter, social, legal and medical support services. In addition, the Ministry promoted violence prevention education in immigrant and refugee communities by funding community initiatives.

808. The Ontario Government continues to fund the Riverdale Immigrant Women's Centre to provide settlement and integration services, as well as English as a Second Language programs, to South Asian and Chinese speaking women and their families. It also funds the New Experiences for Refugee Women in Toronto to provide similar services to refugee women from Latin American countries.

809. Although not specifically tailored to racial minority women, the Ontario Human Rights Commission's Policy on Racial Slurs and Harassment and Racial Jokes applies to racial minority women.

810. Following the release of its Policy on Female Genital Mutilation (FGM) in 1996, the Commission released a plain language document in Arabic, Swahili, Amharic and Somali to sensitize women from affected communities to their rights and responsibilities. Community organizations aided the government in distributing these documents.

(iii) Aboriginal Women

811. Between April 1994 and March 1998, the Ontario Native Affairs Secretariat provided funding to the Ontario Native Women's Association to support its work on behalf of Aboriginal Women. The Aboriginal Healing and Wellness Strategy (see paragraph 443 of the Fourth Report) continues to receive funding. In addition to the services provided through the Strategy, there are four shelters located on reserves co-funded by the province and the First Nations.

Article 4: Temporary Special Measures

812. In December 1995, the Ontario Legislature passed Bill 8 — *A Bill to Repeal Job Quotas and to Restore Merit-Based Employment Practices in Ontario.* Bill 8 repealed the *Employment Equity Act 1993*, the Act referred to in paragraph 451 of *Canada's Fourth Report on the Convention on the Elimination of All Forms of Discrimination against Women.* Section 14 of the *Ontario Human Rights Code* continues to allow special programs to assist historically disadvantaged groups, such as women.

813. The Commission revised and updated its interpretive *Guidelines on Special Programs* in 1996 in order to reflect the new legislative environment.

Article 5: Elimination of Stereotypes

814. Healthy Babies, Healthy Children is a new joint Ministry of Health and Ministry of Community and Social Services program. It is a prevention/early intervention initiative designed to ensure that all Ontario families with children who are at risk of physical, cognitive, communicative or psychosocial problems have access to effective and consistent supports and services. This community-based program is creating a network of local service providers whose collaboration focuses on identifying and supporting the needs of vulnerable children and parents as early as possible. Such services include post-partum screening in hospitals, assessments by public health nurses, and the designation of a service coordinator for each high risk family that requires it.

815. The government funds services related to violence against women. The Ministry of Community and Social Services funds 98 shelters for abused women and their children and more than 100 counselling agencies. The Ministry is in the process of developing a curriculum to jointly train child protection and violence against women workers to better understand the role each sector plays in supporting abused women and children, and to better coordinate their activities.

816. The Ministry of Northern Development and Mines, in cooperation with the Ontario Women's Directorate, provides grants to sponsoring organizations to assist survivors of sexual assault and wife assault by improving accessibility of outreach and self-help programs. Increased accessibility to prevention services across the North is intended to reduce the incidence of violence against women in Northern Ontario communities.

817. The Ministry of the Solicitor General, along with other ministries, implemented Ontario's Domestic Violence Justice Strategy (DVJS) with respect to the expansion of services

directed to victims of domestic violence, local justice community coordination, specialized investigations of incidents by trained police, a coordinated prosecution led by trained Crown Attorneys, and the fast-tracking of these cases.

818. To complement its funded programs and services, and to support the implementation of the DVJS, the Ministry of the Solicitor General has mandated a police response to victims which is formally articulated in the Adequacy Standards Regulations of the *Police Services Act*. One of the requirements specified in the Regulations is the development of an integrated service delivery framework for assisting victims of domestic violence. This requires that every police service in Ontario have in place, by January 1, 2001, policies on investigations into domestic violence occurrences, as well as procedures and processes for undertaking and managing these investigations. The Ministry has undertaken several initiatives to assist police services in meeting this requirement.

819. The Ministry of the Solicitor General and the Ministry of the Attorney General jointly announced the *Victims' Bill of Rights* in June 1996 to legislate a set of principles to support victims of crime with timely, respectful and courteous treatment throughout the criminal justice system. Many victims, especially victims of sexual assault and domestic violence, are women. An amendment in November 1997 to the *Police Services Act* included victim assistance as one of the legislated duties of police services across Ontario.

820. Through its Victim Services Unit, the Ministry of the Solicitor General funds and administers a range of programs which are directed, either wholly or in part, toward addressing violence against women. These programs include: 33 Sexual Assault/Rape Crisis Centres, 21 Victim Crisis Assistance and Referral Service Programs, the SupportLink Wireless Phone Program, the Victim Support Line, and Partner Assault Response Programs. In addition, the Victim Services Unit coordinates victim awareness training workshops for police officers. These workshops are designed to enhance the ability of police officers to respond to victims in a professional and compassionate manner, and to foster positive relations with victim service providers.

821. The Ministry of the Solicitor General also funds and participates in educational initiatives and public awareness campaigns.

822. The Ministry of Education funds a number of projects and initiatives related to reducing the incidence of all forms of violence against women and girls. Public education materials are published in 28 different languages, including many Aboriginal languages.

823. The Ontario Human Rights Commission has developed a policy statement on the rights of transgendered persons. The Policy on Discrimination and Harassment Because of Gender

Identity is set out in a discussion paper released to the public. The discrimination, harassment and social stigma suffered by transgendered persons, due largely to sex-role stereotyping, warrants human rights protection. The Commission now accepts complaints related to gender identity under the ground of sex.

824. While CEDAW does not expressly provide for a woman's right to be free from discrimination on the basis of sexual orientation and same-sex partner status, these are rights expressly protected both by statute and by the *Constitution* in Ontario and Canada. The Ontario Human Rights Commission has developed a public policy statement on sexual orientation.

Article 10: Education

825. The Ministry of Training, Colleges and Universities has published and distributed background documents on the status of women in post-secondary institutions. For example, the *Status of Women in Ontario Universities* (two volumes) is a series of statistical reports which tracks women's participation at all levels within the Ontario university system. These reports have been an important resource for monitoring changes in the participation of women students, faculty and administrative staff in Ontario universities.

826. The Ministry of Training, Colleges and Universities provides support to a number of women in apprenticeship programs. The Workplace Support Services Branch, which oversees broad training and re-employment strategies, emphasizes the full and effective participation of disadvantaged and under-represented groups, including women, in labour force development programs and services.

827. The Ministry of Training, Colleges and Universities also provides child care bursaries under the Ontario Student Assistance Plan to assist students with child care costs while they attend college or university. In addition, assistance is available for students with dependent children and for women in doctoral programs with financial need.

828. In May 1995, the Ontario Human Rights Commission launched a package of pedagogical materials for secondary students entitled *Teaching Human Rights In Ontario*. The package contains materials and handouts designed to introduce students to the protection of human rights in the Code and to help them understand the role of the Commission. The package, in both English and French, was sent to every secondary school and every school board in Ontario as well as hundreds of other individuals and groups at their request. In addition, the material is being used to teach human rights in community colleges and universities, in Adult Basic Education and in English as a Second Language

classes. The Commission was also a contributing member to the Ministry of Education's Equity in Learning Materials Committee.

829. Information about the Code and the Commission is available to thousands of students across Canada via the Internet on the "SchoolNet" service by way of the Commission's own website (www.ohrc.on.ca), launched in December 1996.

830. In 1997, the Commission introduced a strategy to revitalize its education and information activities. Commissioners and Commission staff personally delivered education and training to 3,497 people in 1997-98, 1,715 in 1996-97, 1,384 in 1995-96 and 311 in 1994-95.

831. The Ontario Women's Directorate implements and administers the Partners for Change program. The program is designed to encourage innovative partnership projects with educators, business and community organizations to support educational opportunities for girls that will lead to career and life success; promote the participation of women in math, science and technology-based training; encourage the recruitment, retention and promotion of women; and support women's entrepreneurial success.

Article 11: Employment

832. Between April 1994 and March 1998, 73 percent of all complaints to the Commission were in the area of employment. In 1994-95, approximately 32 percent of employment complaints to the Commission primarily involved discrimination on the basis of sex, pregnancy or sexual harassment. This figure was 32 percent for 1995-96, 32 percent for 1996-97 and 31 percent for 1997-98.

Right to Work

833. The *Labour Relations and Employment Statute Law Amendment Act* (Bill 7) was passed on November 10, 1995. Bill 7 introduced workplace democracy measures to the *Labour Relations Act* (LRA) which have strengthened the democratic rights of individual workers. Domestic workers are excluded from the LRA but continue to be free to form voluntary associations.

Employment Opportunities — Training

834. The Ministry of Economic Development and Trade (formerly the Ministry of Economic Development, Trade and Tourism) hosted an Ontario Public Service (OPS) seminar on

the Changing Role of Women in the OPS in December 1995. Three hundred and fifty people attended the seminar to hear speakers from the public and private sectors.

835. The Ministry of Transportation supports, on an ongoing basis, a Women in Engineering Conference that provides an opportunity for the Ministry's female engineers to discuss training and development requirements and opportunities.

Child Care

836. Since 1995, child care spending has increased. There are now approximately 143,500 regulated centre-based child care spaces, an increase of 14,500 spaces since March 1995. Also, in 1998, approximately 180 more centres were established — a 6 percent increase from 1995.

837. The 1997 Ontario Budget announced that 90,000 families and 125,000 children will benefit from a new child care tax credit to assist working families who are not benefiting from the current institutional child care system. This new system will provide more choice to parents and help child care providers make care more affordable. More families will receive assistance with priority being given to families who need help to start or stay at work.

838. Ontario recognizes the need to work toward a better balance between the private and non-profit child care sectors in order to meet the needs of families successfully. The province has taken several steps towards restoring that balance, including ending the conversion initiative under which private sector programs were converted to non-profit programs, lifting the ban on the purchase of spaces in the licensed private sector, and opening access to the licensed private sector for repair/maintenance funds.

839. All Aboriginal children attending programs run by First Nations receive fee subsidies. Ontario cost shares fee subsidies 80/20 with First Nations. In 1998, there were 53 centres operated by First Nations.

Equal Remuneration

840. In July 1995, the Government of Ontario publicly affirmed its commitment to assist public sector employers with the cost of achieving pay equity, committing to providing annual funding. A one-time payment for retroactive pay equity adjustments was also made in 1997.

841. An amendment to the *Pay Equity Act* was made under the *Public Sector Transition Stability Act, 1997,* to allow reduced future wage adjustments if a pay equity plan is found to be no longer appropriate following a sale or amalgamation. The Pay Equity Advocacy and Legal Services Clinic, which provided free legal information and advice regarding pay equity, has discontinued taking new cases since August 1, 1995. The government provided wind-down funding to allow the Clinic to complete ongoing cases.

Working Conditions

842. Since the last report, the minimum hourly wage in Ontario has increased to $6.85 per hour and is among the highest in Canada. The *Employment Standards Act* was amended to eliminate exclusions from overtime pay and public holidays for homeworkers and employers were required to provide homeworkers with written details concerning their work and pay. The minimum wage for homeworkers was raised to 110 percent of the general hourly minimum wage.

Maternity, Pregnancy and Parental Leave

843. In 1996, the *Employment Standards Act* was amended to clarify that seniority, length of employment and service continue to accrue throughout pregnancy and parental leaves.

844. The Ontario Human Rights Commission has updated its 1996 Policy on Discrimination Because of Pregnancy to include clear rights with respect to pregnant and lactating women, including the right of such women to receive accommodation at work.

Article 12: Health

845. The interlocutory injunction referred to in paragraph 529 of the Fourth Report, which prevents harassment and intimidation of abortion patients and providers and their families at certain doctors' homes and offices, and at three abortion clinics in Ontario, remains in place. It continues to be in the public interest to protect the safety and privacy of patients and providers and to ensure continuing access to abortion services. The government continues to provide funding to free-standing abortion clinics in Ontario.

846. In 1994-95, there were 71 midwives in Ontario. Ontario's commitment to legalized, funded midwifery care continues and funding has been increased.

847. As a result of the report *Caesarean Birth: A Quality Assurance Program to Increase the Appropriate Use of Caesarean Birth* referred to in paragraph 533 of the Fourth Report, a Maternity Care Guideline Project was established as a pilot project in the Orillia area. The

purpose of this project is to implement evidence-based practice guidelines such as one-to-one labour support and intermittent fetal rate auscultation, to reduce the caesarean section rate. The Ontario Medical Association, the Ministry of Health, the Institute for Clinical Evaluative Sciences and local providers are working together on this project.

848. The Ministry of Health has established a working group to look at regulatory and funding options for new reproductive technologies in Ontario.

849. The Ontario Government continues to provide funding to 39 counselling services for adult women who are survivors of sexual assault and to Sexual Assault Treatment Centres in 27 hospitals and 12 satellite sites across the province. The Wife Assault and Sexual Assault Grants Program for the Education of Health Care Professionals provides money to help health care professionals treat survivors of partner assault and sexual assault.

850. The Ministry of Labour continues to provide general health protection to women under the *Occupational Health and Safety Act*. In particular, the Ministry safeguards the functions of reproduction and pregnancy from the hazards of radiation exposure.

851. One issue that surfaced during the United Nations' Fourth World Conference on Women in Beijing 1995, and that the Ontario Human Rights Commission has taken steps to address, is female genital mutilation (FGM). FGM involves the cutting and/or excision of the sexual organs of girl children. Because of the increase in immigration to Ontario from regions where the practice persists, the Commission has been made aware that girl children from affected communities are at risk in Ontario. There are, as well, important questions surrounding the care and treatment of women who have undergone the procedure. The Commission undertook extensive research and, in 1996, released a policy on the human rights implications of the practice.

Article 13: Economics and Social Life

852. The *Tenant Protection Act* clarifies what information landlords can ask for when assessing prospective tenants. Previously, there was concern that landlords had the ability to screen tenants on the basis of minimum income criteria or rent-to-income ratios, in effect authorizing discrimination against persons on social assistance, seniors, the disabled, new Canadians and, in particular, women heading single-parent households. To address this concern, the *Human Rights Code* was amended to recognize that many tenants, particularly those on social assistance, pay a substantial portion of their income to rent. The Regulation does not use a rent-to-income ratio, and only in limited situations, where other information is not reasonably available to a landlord, may income information be used as the sole factor in assessing tenants.

853. The Ministry of Municipal Affairs and Housing is committed to providing priority access to subsidized housing for victims of family violence, the great majority of whom are women. In addition, the Ministry of Municipal Affairs and Housing has worked closely with the Ontario Housing Corporation to increase community economic development projects for its residents. Many of the residents in Ontario Housing Corporation units are single mothers.

854. Any resident in Ontario, male or female, may apply for social assistance through the Ministry of Community and Social Services. Eligibility is determined on the basis of financial need and other criteria.

855. The former Ministry of Citizenship, Culture and Recreation continued to implement the provincial policy entitled "Full and Fair Access for Women and Girls in Sport and Physical Activity." This policy is designed to provide women and girls in Ontario a full range of opportunities to participate, compete and lead in the field of sport and physical recreation.

856. Completed policy initiatives include the development of resources for provincial and community sport and recreation providers. Two guidebooks and a poster are still made available on request. The former Ministry of Citizenship, Culture and Recreation's Strategy for Amateur Sport in Ontario, issued in 1996, further reinforced the government's commitment to safe and welcoming sport environments. Under this Strategy, provincial sport organizations' projects for women and girls are eligible for government funding. For fiscal year 1997-98, grants were provided for anti-harassment and anti-abuse initiatives.

Article 14: Rural Women

857. The Ministry of Agriculture, Food and Rural Affairs works with Women and Rural Economic Development (WRED) to provide entrepreneurship training and counselling to rural women. The Ministry funded a research project entitled "Policing Spousal Assault in Rural Communities" through the Sustainable Rural Communities program in 1997 and 1998. The Ministry also provides leadership and organizational development consultation services to the Community Abuse Program of Rural Ontario, which focuses on the unique circumstances and needs of rural communities.

858. The Ministry produces a weekly television program, *Town and Country Ontario*, which has featured female role models. Women are featured in every kind of activity in the rural community, including their roles as partners or proprietors in farm businesses and food

processing concerns. A Rural Youth Job Strategy provides support to projects preparing young women for the work force.

859. The Community Food Advisor Program uses trained peer educators to improve knowledge and behaviours related to healthy food choices and safety, and to enhance community leadership abilities of program volunteers. Approximately 90 percent of the volunteers are female. Many of the clients are also women, including at-risk populations, such as teenage mothers and mothers-to-be, seniors and low-income groups.

860. In partnership with the Ontario Rural Child Care Committee, the Ministry produced and distributed an information package entitled "The Rural Community Development Process to Address Rural Child Care Needs." The Ontario Rural Child Care Committee obtained funding from the Canadian Agricultural Safety Program to produce and distribute the package across Canada.

861. Twice yearly, Leadership in Action Programs assist 25-35 participants in developing leadership and organizational development skills. Increasing numbers of rural women have participated in these workshops which built the capacity and increased the effectiveness of community organizations.

Manitoba

862. This Report updates, to March 1998, the information contained in Manitoba's submission to *Canada's Fourth Report on the Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW).

Article 2: Anti-Discrimination Measures

863. The Manitoba Human Rights Commission administers and enforces the *Human Rights Code, 1987.* The Code specifically protects against discrimination on the basis of ancestry, nationality/national origin, ethnic background/origin, religion, age, sex (including pregnancy), gender-determined characteristics, sexual orientation, marital/family status, source of income, political belief, and physical or mental disability.

864. Discrimination on the basis of sex was the most frequently cited ground of complaints filed in the years 1994 through 1997. It comprised 26 percent of all formal complaints filed in 1994, 30 percent in 1995, 38 percent in 1996 and 36 percent of those filed in 1997. In 1994, 56 percent (32 cases) of sex discrimination complaints were allegations of sexual harassment. In 1995, 58 percent (29 cases), in 1996, 54 percent (47 cases) and in 1997, 52 percent (33 cases) of sex discrimination complaints were allegations of sexual harassment.

865. In 1997, the Manitoba Human Rights Commission implemented a new series of Employment Seminars. These cover all forms of employment discrimination which have an impact on women, including sex, pregnancy and pregnancy-related discrimination. Included in the topics presented is a section on sexual harassment. The Commission's objective is to positively educate employers to prevent harassment in the workplace which is where the majority of harassment complaints arise. The Commission responds to numerous requests from business and service organizations for seminars on sexual harassment, and assists with the development and implementation of workplace sexual harassment policies.

866. In March 1998, the Manitoba Civil Service, in its principles and policies for managing human resources, implemented general policies, including:

- employment equity planning
- barrier-free employment advertising

- employment equity in staffing
- sexual harassment

867. The staff of the Employee Assistance Program, a department within the Civil Service Commission, provide counselling and support to employees affected by incidents of sexual harassment.

868. In the summer of 1994 the Manitoba Department of Justice released *Family Law in Manitoba, 1994*, a public information booklet which was widely distributed and made available to the public in courts, child protection agencies, Maintenance Enforcement, Family Conciliation and numerous other government offices, Legal Aid Manitoba, women's shelters and other locations throughout Manitoba.

869. In 1994 and 1995, a comprehensive set of new legislative amendments and changes to regulations were developed and passed to implement a wide range of innovative maintenance enforcement mechanisms (garnishment of joint assets, ongoing garnishment of monies other than wages, pension benefit credit garnishment, driver's licence suspension/non-renewal). These new remedies greatly enhanced the ability of the province's Maintenance Enforcement Program to collect support payments.

Article 3: Measures to Ensure the Advancement of Women

870. Amendments to the *Family Maintenance Act* were passed in 1997 and a regulation approved to establish a provincial support guidelines system which came into effect June 1, 1998.

871. New legislation, *The Domestic Violence and Stalking Prevention, Protection and Compensation Act* was introduced, which subsequently became law in June 1998. This Act provides civil remedies to victims of stalking and expands the civil remedies available to victims of domestic violence. The legislation was in part based on recommendations contained in the Manitoba Law Reform Commission's 1997 *Report on Stalking* and in the *Study of Domestic Violence and the Justice System of Manitoba*, the *Report of the Honorable Mr. Justice Schulman Respecting the Commission of Inquiry into the Deaths of Rhonda Lavoie and Roy Lavoie* (also released in 1997).

872. The Community and Youth Correctional Services, of the Manitoba Department of Justice, and the Department of Culture and Tourism have developed a new program to address domestic violence from a multicultural perspective. While the previous domestic violence program had input from various communities, it was developed and delivered to all communities by representatives from within the Department. A multicultural domestic

violence program addresses the special ethnic, linguistic and cultural needs of domestic violence offenders by offering the services of interpreters who have received training in domestic violence to provide program information in the offender's native language. Enabling communities to meet their own specific needs has resulted in a more culturally-aware delivery of programs to address domestic violence.

873. The Manitoba Department of Education and Training has identified Aboriginal education and training as a priority and is taking steps that its policy of inclusion is being applied to Aboriginal education and training in all areas of the Department, which includes Kindergarten to Senior 4, training and post-secondary education. While the policy is not directly focused on Aboriginal women, it will have a significant impact on improving their educational outcomes.

874. As of 1998, family violence services included 33 community-based agencies throughout Manitoba. Services in Winnipeg (the largest urban centre in the province) included second-stage housing, and long-term counselling for both Aboriginal and non-Aboriginal victims of abuse, their children, and abusers.

875. Within Manitoba Education and Training's policy and support documents, an emphasis on gender equality, anti-racism/multiculturalism, Aboriginal perspectives, inclusivity and equity is stressed.

876. Other family violence services include women's resource centres and long-term counselling for incest victims who have had addiction problems. Services throughout the province include crisis accommodation, counselling, public education, and crisis telephone lines. It is estimated that 4,700 women sought shelter in the 1997-98 fiscal year.

877. As of 1998, there are ten crisis shelters for victims of domestic violence situated in nine communities throughout Manitoba. The shelters were developed under the Federal-Provincial Public Non-Profit Special Purpose Housing Program. The Department of Housing of Manitoba has assumed all housing-related management functions for these shelters as of April 1993. Minimum building standards for crisis shelters have been developed.

878. In September of 1996, the Manitoba Women's Directorate launched "Keeping Safe at Work," in partnership with the Canadian Imperial Bank of Commerce, Workers Compensation, the RCMP, and the province's Police Services. This province-wide initiative focuses on the safety of those who work alone, or who travel to and from work alone. It provides tips on awareness of potential risks as well as what to do about them, to

maximize personal safety. Information sessions are provided on-site at workplaces or training centres and pamphlets have been distributed across the province.

879. The 1996 Census of Canada indicates that 83.5 percent (31,260) of single-parent families in Manitoba were led by women.

880. The social assistance regulations were also amended to exempt some additional financial resources from consideration in the calculation of social assistance benefits for the family. With the introduction of the National Child Benefit (NCB) in 1998, social assistance regulations continue to exempt the Canada Child Tax Benefit (CCTB), except for the portion known as the NCB Supplement. Savings in assistance costs from this increased federal contribution to lower-income families is reinvested in programs and services for lower-income families, many of whom are headed by women. In the fall of 1998, it is intended that the Women and Infant Nutrition program be introduced, to provide nutritional counselling and a financial benefit to purchase healthy foods for pregnant women, breastfeeding mothers and parents with children under one year of age.

Article 5: Elimination of Stereotypes

881. The Manitoba Women's Directorate, in partnership with Education and Training, and Red River Community College, developed and produced *Training for Tomorrow: A Role Model Video and Curriculum Guide*, for use in Senior 1-4 schools. The video portrays young women working in technology-related fields and encourages students to consider training and careers in high-tech occupations.

Article 7: Women in Politics and Public Life

882. Of Manitoba's 70 full-time judges, 16 are women. The Chief Judge of the Provincial Court is a woman. Between April 1, 1994 and March 1998, of the eight judges appointed to the Court of Queen's Bench, five of them were women. For the same time period, of the six judges appointed to the Provincial Court, two of them were women.

883. Women hold 11 of the 57 seats in the Manitoba Legislature, a decrease of one from the last report. Of 17 cabinet minister positions, four are held by women, an increase of one from the previous report. These are two female deputy ministers of a total of 20, again an increase of one.

884. Women hold three of the 15 Winnipeg City Councillor positions.

885. One of the three community college presidents in Manitoba is a woman, a decrease of one from the last report.

Article 10: Education

886. The Department of Education and Training curriculum initiatives for Kindergarten to Senior 4 schools include a focus on the integration of specific equity-related strategies, with one important aspect being gender fairness. The strategies are designed to help promote an inclusive education system in the province by ensuring that attention and sensitivity to gender fairness is reflected in the curricula for all subject areas.

887. To date, new curricula for mathematics, language arts (Kindergarten to Senior 3) and science (Kindergarten to Grade 4) have been released for implementation. The initial phase of curriculum development for each of these subject areas occurred as a collaborative inter-jurisdictional project under the Western Canadian (mathematics and language arts) and Pan-Canadian (science) protocols. Because there was general agreement about the importance of curricula that addressed the diversity of Canadian and world communities — that specifically challenged discrimination against women and supported a fair and equitable society — the common curriculum frameworks that resulted from these projects contain specific student learning outcomes that set out expectations in these areas. Manitoba's curricula are aligned with these common curriculum frameworks.

888. Curriculum development teams in Manitoba are inclusive, with women playing important leadership roles in all aspects of curriculum development.

889. Today's vision for scientific literacy (as reflected in the Pan-Canadian Science Framework and Manitoba's K-4 Framework) reflects an inclusive stance related to gender and varying cultural perspectives, including an Aboriginal perspective. This is in contrast to the previous view of science as the domain of white male scientists from the Western world. Manitoba has incorporated this vision into General Learning Outcomes that reflect student expectations for the end of their Kindergarten to Senior 4 schooling. One particularly relevant example (from the *Kindergarten to Grade 4 Science: Manitoba Curriculum Framework of Outcomes*, p. 2.6) is as follows:

> "Identify and appreciate contributions made by women and men from many societies and cultural backgrounds towards increasing our understanding of the world and in bringing about technological innovation."

890. Teachers involved in the Interdisciplinary Middle Years Multimedia Project (IMYM) have observed equitable participation between male and female students in their IMYM classrooms. The best teaching practices encouraged in an IMYM classroom, such as real world connections, cooperative learning, attention to learning style and exercise of multiple intelligence, have produced an inclusive learning environment where classroom diversity is celebrated. Both genders are equally involved in the production and construction of their own frames of knowledge using a variety of learning resources to achieve curriculum outcomes in an interdisciplinary context. The IMYM Project provides a model whereby both male and female Middle Years students can demonstrate appropriate use of information technology in meaningful ways.

891. All textbook and support materials from Kindergarten to Senior 4 level are screened on an ongoing basis through materials selection procedures that are based on the three-stage Canadian Exchange of Instructual Materials Analysis model. Non-sexist language is one of the many criteria used in the process. Other criteria include: age, race, ethnicity, religion, handicap, socioeconomic status, political belief and tolerance.

892. Curriculum assessment and examination committees screen Kindergarten to Senior 4 level items and questions on an ongoing basis for racial and sexual bias.

893. The Student Financial Assistance Program of Manitoba administers the Study Assistance for Social Allowance Recipients Program. This program provides student loans to cover educational costs to single parents who are receiving social assistance and who wish to pursue post-secondary education while continuing to receive social assistance. More than 80 percent of single parents in Manitoba are women.

894. Since January 1991, the University of Winnipeg has implemented several programs or policies which have reduced or eliminated forms of discrimination against women. These include:

- the Maternity/Adoption Leave Policy (1991) which supplements Employment Insurance, maternity and adoption leave benefits
- the Sexual Harassment Policy (1991) and the establishment of the sexual harassment officer position
- the Staff Development Program for Support Staff (1992) which provides for leave of absence with pay for staff to improve their qualifications and obtain additional training

- the Tuition Scholarship Policy (1995) which has been used by many women to complete undergraduate degree programs on a part-time basis while working full time
- the Training and Development Policy for Support Staff (1991), a comprehensive training policy and funding incentive program which encourages training and development opportunities for employees and has mainly benefited women
- the development of a Policy on a Respectful Learning and Working Environment (1999)

895. Changes to the collective agreements between the University of Winnipeg and its employee groups have benefited women. These include changes to:

- seniority provisions which now allow seniority to accrue during maternity/adoption leave (1991)
- the parental leave provisions to allow for 17 weeks of parental leave following maternity leave (1991)
- participation by management and the union in work experience programs designed to introduce or reintroduce women into the work force (1991)
- compassionate/emergency leave that grants time off as a right to employees who need leave to look after family members (1992)
- job sharing arrangements that have opened up opportunities for mothers of young children (1992)
- implementation of Employment Equity Initiatives designed to increase and enhance the representation and participation of women in the work force (1997)

896. The University of Manitoba completed a two-part study on gender-based discrimination in the salaries of its full-time faculty members, which resulted in adjusting the salaries of women in 1995. The total adjustments to salaries of women academics as a result of this two-part study amounted to $600,000.

897. The University of Manitoba successfully completed a compliance review of its employment equity program by the federal government. Human Resources Development Canada (HRDC) completed its second review of the University's employment equity

program in November 1994. By April 1997, the University had improved its representation of women in its work force, despite experiencing an overall reduction in the number of employees due to severe economic constraints. The representation of women increased to 21 percent of full-time academics with tenures, probationary or continuing appointments; 25 percent of senior administrators; 45 percent of professional and managerial staff; and 60 percent of support staff.

898. The University of Manitoba also revised its policy and procedures for recruiting academic staff by implementing equity procedures while maintaining its objective of hiring the best qualified candidates. The University also initiated training for its search committee on recruitment procedures, including employment equity procedures. Recruitment of women increased to 45 percent of academic staff and 64 percent of support staff, enabling the University to exceed its staffing goals for women.

899. In 1994-95, female students accounted for 51.9 percent of the total enrolment of full- and part-time undergraduate and graduate students. In 1997-98, this number had increased to 53.6 percent.

900. From 1994-95 to 1997-98, there were increases in the percentages of female students enrolled in traditionally male-dominated programs. As examples, the percentages of female students enrolled in agriculture and food science increased from 43.2 percent to 50.4 percent; in engineering from 17.0 percent to 20.2 percent; in law from 42.3 percent to 49.1 percent; and in science from 40.3 percent to 43.1 percent.

Article 11: Employment

901. The Manitoba Women's Directorate is working collaboratively with Manitoba Education and Training, Labour Force Services and Apprenticeship Branches, the alliance of Manufacturers and Exporters, and Technical Vocational High School, to develop a pre-employment apprenticeship training program entitled Trade Up to Your Future to encourage women to enter apprenticeship training. The program is scheduled to run its first pilot in the fall of 1999.

Article 13: Economic and Social Life

902. The Manitoba Department of Industry, Trade and Tourism has a Business Development Consultant available to provide information, counselling and training services through the Women's Entrepreneurial Initiative. Its objective is to foster the success of women in developing and expanding businesses. This Initiative integrates entrepreneurial education and training, access to start-up and expansion capital, as well as expert advice for support.

903. The Manitoba Women's Directorate partnered with four government departments, three women's organizations and private business to host "Manitoba Women in Business: Voices of Experience," a conference for women entrepreneurs. The conference included strategies for marketing, decision making. contracting out, use of the Internet, and provided an opportunity for mentorship contacts. There was also an interactive video conference link between Winnipeg (the site of the conference) and Flin Flon's women's community.

904. In March 1995, the Manitoba Women's Directorate launched an ongoing umbrella program designed to encourage young women to make responsible and healthy life choices. It included measures to encourage girls to widen their career horizons (e.g., Training for Tomorrow Scholarship Awards, the Role Model video and Trade Up to Your Future), as well as initiatives to encourage adopting healthy lifestyles (On the Move, to encourage physical activity, speaking engagements in schools to present the importance of physical activities to girls, and Perspectives in Women's Leadership workshop training sessions, to encourage women to increase their leadership influence). "Do It For You," a motivational poster, and a "Role Models" poster were distributed to schools across the province.

Article 14: Rural Women

905. A toll-free women's information line has been established to provide women from any part of Manitoba with easily accessible information on government and community programs and services.

906. The Manitoba Women's Directorate, in partnership with Manitoba Education and Training, developed the Power Up! computer training initiative to provide training to Manitoba women across the province, who are in need of basic computer literacy skills. The initiative will promote the importance of technology for women in today's marketplace and provide training that will build computer and Internet skills in adult women participants throughout Manitoba who have had limited exposure to computers. Training begins in June of 1999.

Article 16: Women and the Family

907. Manitoba previously reported on the case of *Vogel and North v. Government of Manitoba*. This case involved the issue of whether denying spousal benefits to same-sex partners under the Government of Manitoba's Spousal Benefit Plan is discrimination based on sexual orientation, marital and family status, and/or sex. The case had implications for

women in same-sex spousal relationships and their families. Earlier decisions by the Adjudicator (1991) and in the Court of Queen's Bench (1992) had held that such policies were not discriminatory. In 1995, the Court of Appeal overturned those decisions and referred the matter back to the Adjudicator in order to provide the Government with an opportunity to attempt to demonstrate that there was a bona fide and reasonable cause for the discriminatory treatment. In a decision released in November 1997, Adjudicator Goodman determined that the government had failed to establish reasonable cause for the discriminatory treatment, and he directed that coverage be extended in all of the benefit plans with the exception of pension benefits (because the definition of "spouse" in the federal *Income Tax Act* may have resulted in the deregistration of the Plan). This decision was not appealed by the Government of Manitoba.

Saskatchewan

908. This Report updates, to March, 1998, the information contained in Saskatchewan's submission to *Canada's Fourth Report on the Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW).

Article 3: Measures to Ensure the Advancement of Women

909. The Saskatchewan Human Rights Commission continues to administer and enforce the *Saskatchewan Human Rights Code*, which prohibits discrimination on the basis of sex or pregnancy in the areas of employment, education, accommodation and the provision of public services.

910. The Saskatchewan Women's Secretariat continues to provide leadership to government on issues affecting the economic, social and political conditions of women in Saskatchewan.

911. The Secretariat has developed a statistical database and a set of economic indicators that measure the economic progress of women in Saskatchewan and policy implications for government.

912. Between 1994 and 1998, the Women's Secretariat undertook research and policy development on issues such as economic security, family violence, single parents, pay equity, employment equity, wage gap, pension reform, unpaid work, poverty, balancing work and family, gender socialization, sexual harassment, Aboriginal women and senior women.

913. The *Victims of Domestic Violence Act*, referred to in Canada's Fourth Report, was proclaimed in 1994. It established emergency judicial orders, available in situations of domestic violence, which allow the abused party (usually the woman) to remain in the family home. Orders are available to ensure that an abused party can have access to personal effects following an abusive incident, and further remedies are available for the abused party following a violent incident. The legislation also allows the authorities to obtain a warrant to enter the home to investigate allegations of abuse.

Article 4: Temporary Special Measures

914. The Saskatchewan Human Rights Commission continues to approve programs designed to address disadvantages faced by people on the basis of prohibited grounds of discrimination. The Commission's programs currently target women, persons with disabilities, Aboriginal people and members of visible minorities. The Commission supervises 35 employment equity plans affecting over 35,000 workers, and 29 education equity plans representing over 77,000 students.

Article 5: Elimination of Stereotypes

915. The Women's Secretariat has developed and delivered a series of educational workshops for government employees and the general public. Workshop topics include balancing work and family, gender socialization, employment equity, communicating with respect and sexual harassment.

916. The Interdepartmental Committee on Family Violence includes approximately 10 government departments. In 1997, a policy framework was approved to address family violence. A three-year strategy includes establishing a partnership with the community, providing support to existing services and developing alternative justice services.

917. The Department of Social Services operates the Family Violence Support Centre. It also funds community-based organizations, including nine shelters, nine sexual assault counsellors, two programs which offer safe homes, and a number of domestic abuse outreach programs across the province which offer referral and follow-up services to abused women. Saskatchewan Housing Corporation, a division of the Department of Municipal Government, has been involved in the construction of shelters.

918. The Department of Education has developed units for the health curriculum for the middle level of public schools that address issues of gender stereotyping and family education. The curriculum has units dealing with respect and relationships, family and community violence, family structure, roles and responsibilities, and dating. All provincial curricula emphasize gender equity in all subject areas for all grades. The emphasis on gender equity is demonstrated by the use of inclusive language, the use of non-traditional examples for both males and females wherever possible, and a focus on gender-equitable experiences in suggested activities.

Article 6: Trafficking of Women and Prostitution

919. The departments of Social Services and Justice have developed a five-point strategy to deal with the issue of children and youth (mainly female) involved in prostitution. The main elements of the strategy are: a public information campaign emphasizing that child prostitution is child abuse; a strict law enforcement policy aimed at those who sexually exploit children; targeted outreach services, using community agencies to serve children involved in prostitution; a tracking and monitoring system to enhance the detection and prosecution of perpetrators and to facilitate the provision of services to victims within Saskatchewan and across the country; and a review of existing provincial and federal laws to ensure they are consistent with the goal of successfully prosecuting those who sexually exploit children.

Article 10: Education

920. The Equity in Education Forum is composed of representatives from the Saskatchewan Human Rights Commission, the Department of Education, the Saskatchewan School Trustees Association, the Saskatchewan Teachers' Federation, and the League of Education Administrators, Directors and Superintendents. In November 1997, the Forum and the Minister of Education released a document developed by the Forum, entitled *Our Children, Our Communities and Our Future*. This document articulates a common vision to promote equity in Saskatchewan schools, setting out policies and action plans for ensuring fair and respectful treatment within the education system. The Forum has now put into place measures to achieve the goals of the policy framework. There are also a number of post-secondary equity plans in place. The University of Saskatchewan, for example, has an equity program for female students in the mathematics department.

921. The Saskatchewan Human Rights Commission sometimes grants exemptions from the strict requirements of the *Saskatchewan Human Rights Code* where this is deemed "necessary and advisable." For example, although the Code prohibits sex discrimination in education, the Commission has granted an exemption enabling a Regina High School to offer an all-girl mathematics program.

Article 11: Employment

922. The Women's Secretariat developed the Equal Pay for Work of Equal Value and Pay Equity Policy Framework as a guideline for the implementation of government policy, and provided advice to government workplaces on policy implementation. The Policy Framework sets out minimum standards for the implementation of pay equity. It requires a gender-neutral job evaluation system, jointly negotiated through the collective

bargaining process. On October 1, 1998, the Public Service Commission, in cooperation with the Saskatchewan Government Employees' Union, implemented the plan for 10,000 union members. It will be phased in over a period of five years.

923. Recent changes to the collective agreement between government employees and the Public Service Commission include the doubling of the maximum length of an unpaid maternity leave from one to two years.

924. In 1997, the Department of Labour began a two-year Balancing Work and Family Initiative to identify and address the challenges confronting Saskatchewan workers who face competing employment and family obligations. This government-sponsored community development initiative involves public education, a symposium and a survey of select private and public sector organizations to identify work and family issues. A task force comprised of business and labour leaders is conducting community consultations.

925. The *Saskatchewan Human Rights Code* prohibits discrimination in employment on the basis of "family status," which is defined as "being in a parent and child relationship." Family status was added to the Code as a prohibited ground of discrimination in 1993. The Human Rights Commission interprets the Code to impose an obligation on employers to accommodate their employees' family obligations.

926. In 1997-98, women comprised 46.4 percent of the total work force of all employers with Employment Equity Programs approved by the Saskatchewan Human Rights Commission (the "sponsor work force"). This is slightly less than the 1996-97 percentage but exceeds the Human Rights Commission's goal of 45 percent. Women made up 41.1 percent of the work force of public sector corporations (i.e., the corporations monitored that year).

927. The Commission suggests that women continue to face barriers in the public sector with respect to management positions and non-traditional and under-represented occupations. In 1996-97, women held 35.1 percent of all management positions in the total sponsor work force, but only 28.2 percent of management positions in public sector corporations. By comparison, the 1993 report identified women in 22.5 percent of management positions in the total sponsor work force.

928. In 1997-98, women occupied 27.4 percent of senior management positions and 38.9 percent of middle management positions in the sponsor work force, but only 14.4 percent of senior management and 30.8 percent of middle management positions in the public sector. The comparable figures from 1993 (for the total sponsor work force) were 16.2 percent in senior management and 28.7 percent in middle management.

929. Women are hired in numbers greater than their labour force representation of 45 percent; however, they continue to be concentrated in particular occupational groups. In most organizations these positions tend to be the lowest paid. Women are also under-represented in permanent positions.

930. The overall trend for women in management positions is encouraging. Sponsor reports indicate that the number of women in management has increased slightly. However, almost half of the sponsors have less than 25 percent representation of women in senior management. The Commission recommends increased focus on representation of women in the management of public sector corporations.

Article 12: Health

931. The Screening Program for Breast Cancer now provides province-wide screening mammography services to women between 50 and 69 years of age. The Program is currently examining the possibility of expanding to provide services to 40- to 49- year-old women.

932. The Minister of Health announced the formation of the Cervical Cancer Screening Task Force on February 18, 1998, at the Allan Blair Cancer Centre. Saskatchewan Health is working with the Saskatchewan Cancer Agency to develop a cervical cancer screening program in the province, to establish an information system to improve rates of Pap testing, and to improve data collection for program development and decision making.

933. An Advisory Committee on Family Planning was established to make recommendations to the Minister of Health on reproductive health issues, such as unplanned pregnancy. Six pilot projects — Teen Wellness Centres — have been implemented and evaluated. A "Facts of Life" toll-free telephone line has been funded. A conference entitled "Well-being of Youth: Everyone's Concern" was held in March 1998.

934. The Bridge Point Centre for Eating Disorders, located in the town of Milden, provides intensive rehabilitation for individuals (primarily women and girls) with eating disorders. The program is offered in four- to six-week modules which run as often as four times a year. An integral part of the program is follow-up in the home community, supported by relapse prevention weekends at the Centre. This is a three-year demonstration project which had its first intake in the fall of 1997.

935. The Successful Mother's Support Program reaches out to teen and young parents with disabilities and to children who live in conditions that put them at risk of poor mental and physical health.

936. A Midwifery Implementation Working Group was established by Saskatchewan Health in 1997 to work towards the introduction of midwifery legislation. The Working Group is currently reviewing and developing the necessary regulatory, education and operational mechanisms to permit the legalized practice of midwifery in Saskatchewan.

Article 13: Economic and Social Life

937. The Department of Municipal Government has developed an Equity Checklist to assist groups and individuals assess attitudes and behaviour toward women, people of various ancestry and people with disabilities. The document was distributed throughout the sport and recreation community in Saskatchewan. Saskatchewan Sport Inc. now makes it mandatory (as a condition of lottery grant funding support to its members) that sport organizations institute a policy on harassment.

938. The Department of Economic and Co-operative Development assists communities with the organization of daycare cooperatives throughout the province.

939. The Child Care Program, administered by the Department of Social Services, licenses and regulates daycare centres and family daycare homes and provides subsidies for low-income parents, of whom about 87 percent are single mothers. The Department continues to make incremental improvements to the delivery and funding of the licensed child care sector. There has been a 17 percent increase in expenditures on child care grants and subsidies since 1993-94, and the number of licensed spaces increased by 2.7 percent to 7,124. Since 1992-93, over $4 million in enhancements has been spent on child care. The Department of Social Services has increased the number of child care spaces and locations available for infants and toddlers of teen mothers attending high school, provided more flexible child care options for rural women, increased the parent subsidy rates for infants and toddlers, and introduced wage enhancement grants (nearly $1 per hour) for trained child care workers.

940. The Family Health Benefits Program is designed to help families on social assistance to enter the work force without losing child health benefits (including dental services, eyeglasses, medical supplies and appliances, prescription drugs and ambulance services) and assist lower-income working families to ensure that they are not forced to rely on social assistance because of their children's health needs.

941. Through cooperation among the departments of Health and Social Services and the Saskatchewan Housing Corporation, the province initiated Saskatchewan Assisted Living Services for low-income individuals living in senior social housing who require a combination of shelter and supportive services to maintain their independence. In 1995, 74 percent of senior tenants were female and 90 percent were living alone.

Article 14: Rural Women

942. Efforts to increase on-farm income through development and diversification include encouragement and training for women entrepreneurs. Training programs that are supported by the Department of Agriculture and Food include business management and farm financial management.

943. The Department of Agriculture and Food's Farm Stress Line, supported in part by the Women's Secretariat, offers a counselling and referral service to farm and rural individuals in crisis. Issues often identified include financial pressures, alcoholism, depression and suicide. About half of the calls received annually are from women. Rural women often find themselves in isolated and disadvantaged situations compared to their urban counterparts where emergency services are plentiful and more readily accessible.

944. The Department of Economic and Co-operative Development cosponsored a study on the economic benefits of rural daycare, undertaken by the Centre for the Study of Co-operatives at the University of Saskatchewan. The study described as the status of rural daycare, examined alternatives for daycare provision and recommended a development strategy that was considered in the government's review of child care.

945. The Women's Secretariat has initiated a rural and farm women's project that profiles women's accomplishments and contributions to Saskatchewan's economic and social lifestyle, and provides information of particular importance to these sectors.

Alberta

Introduction

946. This Report is the submission for the province of Alberta, covering the period April 1, 1994 to March 31, 1998.

947. The province of Alberta remains committed to enhancing the opportunities of women. Under current fiscal restraint and budget cuts, the Alberta Government will continue to focus on ensuring that all Albertans have the opportunity to participate fully and actively in the economic, social and cultural life of the province and in the decision-making processes that affect their well-being.

Article 2(e): Equality

948. The Alberta Government will continue to develop appropriate government policies, programs and legislation affecting women.

949. Alberta conducted a public review of its human rights legislation, the *Individuals Rights Protection Act*, which governed human rights protection in Alberta, and the Human Rights Commission, which governs the Act. The final report and recommendations from this review were published in June 1994. The government's response to the recommendations of the Alberta Human Rights Review Panel was published in December 1995 and entitled *Our Commitment to Human Rights*.

950. Key recommendations related to gender equality that were made by the Review Panel and accepted by the Alberta Government were:

- **Recommendation:** That marital status apply to all areas, not just to employment.
  Government Response: Accepted. It is important that marital status apply to all areas to provide the best possible protection from discrimination. At present, there is no protection for an individual because of marital status in the area of tenancy or services.
  A landlord may refuse to rent to an individual because of that person's marital status, for example, if the person is separated or divorced.
  A service provider, for example, a repair business, may refuse to provide service which is customarily available to the public because of an individual's marital status. (*Our Commitment to Human Rights*, p. 17)

- **Recommendation:** That compensation in cases of sexual harassment include not only lost wages but also pain and suffering (the psychological effect).
  Government Response: Current practice. This is already the current practice. (*Our Commitment to Human Rights*, p. 17)

- **Recommendation:** Endorse the recommendation made by Albertans that the Commission network more with immigrant women's groups to become more sensitive to their concerns.
  Government Response: Accepted. Strategic partnerships will allow immigrant women to better express their concerns. (*Our Commitment to Human Rights*, p. 18)

- **Recommendation**: That family status should be added to legislation as a ground on which discrimination is not allowed, and this be applied to all areas.
  Government Response: Accepted. There are many familial relationships that would not be protected from discrimination under the ground of marital status. It is clear from case precedent that family status is much broader than marital status. Where family status discrimination is not prohibited, employers, landlords and persons who provide public services are free to discriminate against individuals solely on the basis of family status. Landlord policies of not renting to families with children is one example of family status discrimination. (*Our Commitment to Human Rights*, p. 20)

- **Recommendation:** That the Alberta Human Rights Commission make workplace abuse/harassment a high priority in its educational campaign and take an active role in promoting the principles of dignity and human rights in the workplace. The Commission should network with those agencies dealing with workplace abuse.
  Government Response: Accepted. This is part of the educational strategy. (*Our Commitment to Human Rights*, p. 22)

951. The *Human Rights, Citizenship and Multiculturalism Act* was proclaimed in July 1996. Most of the legislative changes arose out of the government's response to the recommendations made by the Human Rights Review Panel in its 1994 report. Protection to Albertans was extended by adding source of income and family status as protected grounds; by expanding the protection offered under marital status; and by expanding religious belief to include Native spirituality. The time limit for filing complaints was extended from six months to one year. The Human Rights Commission became the Human Rights and Citizenship Commission.

952. Through its education program, the Human Rights and Citizenship Commission focuses on equity and fairness in employment. The Commission works in partnership with various organizations to address issues related to women.

953. In March 1996, Canada's provincial premiers (with the exception of Québec) endorsed and released the *Ministerial Council Report* containing 15 principles to guide social policy reform and renewal across Canada, including the following:

- Social policy must recognize and take into account the differential impact social programming can have on men and women.

954. In support of the *Ministerial Council Report*, ministers responsible for the status of women developed *Social Policy Renewal: A Vision for Gender Equity*. The Provincial/Territorial Council on Social Policy Renewal, chaired by Alberta, shared the document with sectoral councils of social policy ministers to be used as the foundation for assessing the gender equity implications of their work.

Article 3: Measures to Ensure the Advancement of Women

955. The purpose of the Alberta Advisory Council on Women's Issues (AACWI) was to provide advice to the Minister responsible for Women's Issues on matters relating to the full participation of women in the life of the province and to provide information to the public. This Council was a citizen's advisory body consisting of a chairperson and up to 14 members. The Act that created the AACWI had a sunset clause built into the legislation. The Advisory Council fulfilled its mandate and was dissolved in fiscal year 1995-96.

956. During 1995-96, AACWI continued to advise the Minister on emerging issues of concern to women. It published two newsletters, met with community groups, and continued to provide an information and referral service to the public. AACWI also published and distributed four reports:

- *Desperately Seeking Certainty* looked at risk assessment and safety planning for women and children who are experiencing violence.

- *Differential Impact and the Alberta Advantage* encouraged ongoing dialogue between government, business and women, so that women and men may benefit equally from the Alberta economy.

- *A Decade of Challenge and Change: A Review of the Activities of the Alberta Advisory Council on Women's Issues* summarized the Council's activities over the past decade.
- *Breadmakers and Breadwinners . . . The Voices of Alberta Women* summarized the results of a public consultation involving 300-400 rural and urban women from a wide variety of backgrounds, economic and educational levels. The report included six recommendations on structures and methods that would best help women influence government and public policy after the Council's legislated mandate ended.

957. In 1995-96, the Women's Policy and Programs section of AACWI developed an annotated directory entitled *Women's Organization of Alberta*. This directory was developed, in part, to fulfil the networking function formerly undertaken by the AACWI. It was revised and reprinted in the spring of 1997.

958. During the reporting period, the section that dealt with Women's Policy and Programs became part of the Human Rights and Citizenship Branch. In addition to providing staff and services for the Human Rights and Citizenship Commission, staff within this Branch continue to act as consultants within government to ensure that women's perspectives are considered in the development of government policies, programs and legislation.

959. The Human Rights and Citizenship Branch also offers numerous other materials and resources to the public on matters related to women's equality. These include factsheets on human rights legislation and practice, including the topics of gender, maternity and parental leave, employment equity and sexual harassment, among others. The Branch also distributes the *Women's Organizations of Alberta* directory, as well as papers and resources published by the Federal-Provincial-Territorial Status of Women Ministers.

960. As part of its participation in Federal-Provincial-Territorial Status of Women Minister projects, the Women's Policy and Programs area/Human Rights and Citizenship Branch helped to develop and distribute, the following resources in Alberta:

- *Beyond the Violence — Reaching for Higher Ground* (1996) — this resource guide provides an annotated bibliography of provincial and territorial initiatives that are empowering for women, children and youth.

- *Economic Gender Equality Indicators* (1997) — designed to contribute to public policy discussion on social indicators, an understanding of women's reality and the promotion of gender equality.

961. The Department of Intergovernmental and Aboriginal Affairs (now the Department of International and Intergovernmental Relations) provides funding to Friendship Centres in Alberta. A number of these centres provide programs for women, specifically parenting programs, mom's morning out programs, and women's groups/workshops. A grant of $7,500 was also provided to the Institute for the Advancement of Aboriginal Women, a non-governmental organization, for the "Gathering Strength" Conference for women held in 1997.

Article 5: Elimination of Stereotypes

962. The Alberta Government's Stepping Stones Role Model Program, coordinated by Women's Policy and Programs and the Human Rights and Citizenship Branch, promotes the idea that career choice is not a gender-linked decision and that every career is an option for women as well as men. Stepping Stones provides role model profiles of real-life Alberta women who work in non-traditional fields. The profiles and other resource materials are available to junior and senior high schools throughout the province. During the time period reported on, a fourth set of role model profiles was developed and promoted with teachers throughout Alberta. Careers profiled in this set included that of rancher, entrepreneur, professional golfer, electrician and mechanic, among others.

963. The Women's Policy and Programs section, in partnership with others, also produced and promoted a resource kit for educators, parents and school administrators called *Raising Young Voices: A Discussion Kit*. The kit addressed issues of gender and equitable practices in the raising of girls and boys

Article 7: Women in Politics and Public Life

Participation Rates in Parliamentary Assemblies	**1993**		**1997**	
Female ministers in the Alberta Legislature	3 of 17	17.6%	4 of 19	21.1%
MLAs (excluding ministers	13 of 66	19.7%	17 of 64	26.6%
Total (ministers and MLAs)	16 of 83	19.3%	21 of 83	25.3%
Participation in Government	**1993**		**1997**	
Female deputy ministers (and senior officials) and assistant deputy ministers	8 of 76	10.5%	14 of 101	13.9%
Female judiciary	29 of 178	16.3%	35 of 180	19.5%

964. **Further to the participation in government of women at senior levels of management, the following table provides statistics available for 1997 only. In future reports, comparison data will be provided with 1997 as the baseline year.**

Participation Rates in Government at Senior Levels of Management	**As of December 1997**	
Female deputy ministers and senior officials	5 of 39	12.8%
Female assistant deputy ministers (EM2)	9 of 62	14.5%
Female executive managers, level 1 (EM1)	27 of 199	13.6%
Female senior managers (SMGR)	250 of 1,014	24.7%
Female managers (MGR)	410 of 1,279	32.1%
Total	701 of 2,593	27.0%

Article 10: Education

965. Each year, the Alberta Government provides up to 20 persons Case Scholarships to post-secondary students (mostly women) whose studies contribute to the advancement of women, or whose work is in fields where members of their gender are few.

966. In July 1996, the Multiculturalism Fund was changed by the Alberta Government to become the Human Rights, Citizenship and Multiculturalism Education Fund. Under its enhanced mandate, the Fund provides support for educational initiatives in all aspects of human rights, citizenship and multiculturalism. Many projects have been approved under the Fund that are of specific benefit to women. Examples during the reporting period include funding for conferences on women's issues, projects on sexual stereotyping, and a project on coping strategies for immigrant couples.

Article 10(a): Access to Studies

967. The Alberta Government approves for implementation, at private and public institutions and by private training providers, programs and career development services that are available equally to all adults. The Department of Education collects and publishes information on enrolment and graduates by gender.

Article 10(d): Scholarships and Grants

968. In addition to regular loan, grant, scholarship and bursary programs for students, Alberta offers the Maintenance Grant Assistance Program, established to ensure that students with special needs have the opportunity to acquire degrees. Students are considered for these grants if they do not have normal prospects of completing their education without assistance above that provided under other programs (e.g., single parents, the majority of whom are women).

969. The Skill Development Grant Program provides that normal academic limits may be exceeded based on a student's financial need. Individuals with larger families, including single parents, are the primary recipients.

Article 10(e): The Same Opportunities for Adult and Functional Literacy Programs

970. The Skills Development Program ensures that all Albertans have equal access to a variety of learning opportunities such as adult basic education, English as a second language courses and short-term skills training.

Article 11: Employment

971. The Alberta Government continues to maintain a clear policy against sexual harassment for its employees. The government will not tolerate sexual harassment in the workplace and has in place a Sexual Harassment Training Program, available on request, which consists of a half-day training module which deals with employees' questions and issues in this area.

972. The Alberta Human Rights and Citizenship Commission investigates sexual harassment complaints, disseminates material on sexual harassment, provides speakers on sexual harassment and assists organizations in establishing sexual harassment policy.

973. During the fiscal year 1994-95, the Women's Policy and Programs of AACWI section provided advice and assistance to the Alberta Women in Enterprise Initiative, which was developed in cooperation with the federal government. It is intended to help women entrepreneurs overcome barriers to starting a business.

Article 11.1: Taking Appropriate Measures to Eliminate Discrimination in Employment

974. The Child Care Subsidy Program helps low-income Alberta families with the child care costs for their pre-school children who are attending licensed daycare centres or approved family day homes. The program is operated by Alberta Family and Social Services. Child care subsidies are available to parents who require child care because they are working, attending school, or if the parent or child has a special need. Approximately 84 percent of families receiving child care subsidies are single parents. During this reporting period, the operating allowance was gradually reduced between the period of April 1994 to April 1997.

Article 11.1(c): Free Choice of Profession and Right to Training

975. In September 1996, Advanced Education and Career Development published *Woman Today*, Edition 1. The publication provides women who have not been working outside of the home with pre-career planning groundwork to assist them with organizational skills, time management and career planning. The intended outcome is to assist this audience in achieving greater independence.

976. In March 1998, *Woman Today*, Edition 2 was published. This publication provides information in the area of child care, work alternatives and ongoing learning for women who are entering or re-entering the work force.

977. Albertans have equal access to a wide variety of career development programs and services. All Albertans can access information regarding career development and retraining through Career Development Centres. Funding is available (in the form of loans, grants, scholarships and bursaries) for students to participate in apprenticeships, advanced vocational training and recurrent training on a full- or part-time basis.

Article 11.2: Protection Against Discrimination on the Grounds of Marriage or Maternity

978. The *Human Rights, Citizenship and Multiculturalism Act* prohibits discrimination on the grounds of gender, family status and marital status.

Article 11.2(b): Maternity Leave

979. Under the Alberta *Employment Standards Code*, women employed 12 consecutive months with the same employer are entitled to 18 weeks of unpaid maternity. Leave may begin at any time during the 12 weeks before the estimated date of birth. Employees returning from maternity leave must be reinstated in the same or in a comparable position with earnings and other benefits at least equal to those received when the leave began.

980. Pregnant employees continue to be entitled to be treated like sick employees for the "health-related" portion of an absence during pregnancy, including the post-delivery period. As a result, they are entitled to sickness benefits during the health-related portion of their leave.

Article 11.1(f) and 11.2(d): Occupational Health and Safety and Right to Safety in Working Conditions and Special Protection to Women During Pregnancy

981. An amendment to the *Alberta Radiation Protection Regulation* in 1997 reduced the exposure limit to ionizing radiation for radiation workers during pregnancy to 2 mSv, once pregnancy has been declared.

Article 12: Health

982. Alberta Health and Wellness is in the process of developing a provincial breast cancer screening program. This proposed program would actively recruit women 50-69 years of age where it has been shown that organized screening programs can have a positive impact on the early detection of breast cancer, when women are more responsive to treatment. In addition, women in this age group would be self-referred and not need a referral from their doctor in order to have a mammogram every two years.

983. Alberta Health and Wellness is considering a proposal put forward by the Alberta Cervical Cancer Screening Network for an organized province-wide cervical cancer screening program. Pap smears have been shown to be effective in detecting pre-cancerous cells on the cervix and, therefore, through early detection, treatment can occur to prevent the development of cervical cancer.

984. Sexually transmitted diseases (STDs) remain an important health problem in Alberta, and education programs play a critical role in their prevention. Alberta Health and Wellness has moved from providing direct service to a role of setting provincial standards or benchmarks. As a result, the Population Health Strategies Branch provides ongoing support to the STD prevention education service providers in the regional health authorities. For example, STD print resources on STDs have been made available for use in STD programming throughout the province. Other services include a two-day STD meeting and a semi-annual newsletter which help the educators maintain and increase their knowledge, and create opportunities for collaboration and sharing in the area of STD education.

985. Smoking rates among young women in Canada have been steadily increasing. Data from the 1996 National Population Health Survey indicates that of Canadian women of reproductive age, 29 percent of 15- to 19-year-olds, 35 percent of 20- to 24-year-olds and 33.7 percent of 25- to 34-year-olds are smokers. Fifty-eight percent of women who currently smoke and who responded to Health Canada's survey on smoking in

February 1995, continued to smoke during their latest pregnancy, while 74 percent reported either smoking or being exposed to their partner's smoke.

986. The Alberta Tobacco Reduction Plan, approved and funded in 1998 in the amount of $750,000, is an innovative, outcome driven response to the need to create a province where the people, economy and the environment are free from the harmful effects of tobacco use. Annual funding was increased to $1 million in 1999. As set out in the Plan, this multi-faceted comprehensive reduction strategy combines tobacco policy, social marketing, cessation, local action, youth and workplace programs, and media advocacy. The Plan focuses on four key strategic directions: tobacco-free youth, clean indoor air to breathe, health and safety in the workplace, and support for users who want to quit smoking. The Alberta Tobacco Reduction Alliance (ATRA) has been formed to implement the Plan.

987. In the area of prenatal and postnatal health, Regional Health Authorities (RHAs) continue to provide the opportunity for prenatal education and counselling for all mothers and their families if they choose to use the services. Sixty-five percent of women attended some form of prenatal class, ranging from a low of 45 percent among women under age 18 to a high of 75 percent among women between the ages of 30 and 34.

988. Several RHAs provide specially designed programs for women such as offering prenatal classes in languages other than English or incorporating elements of different cultures.

989. Prenatal visits to physicians are intended to monitor the progress of the pregnancy and to ensure that necessary interventions are delivered in a timely manner. Among women over the age of 25, 97 percent have received four or more prenatal visits during the course of their pregnancy. The number of visits was lowest among women under the age of 20 years.

990. Midwifery became a regulated profession in Alberta in 1994. In 1998, the first midwives were registered in the province and began offering services to the public as regulated practitioners with recognized standards of practice.

991. "You're Amazing" was a three-year, province-wide initiative targeted at 18- to 30- year-old parents. This initiative was designed to raise the awareness and understanding of these parents as to the many influences on their health. It provided encouragement to parents and gave them ideas for enhancing the health of their families. "You're Amazing" was an intersectoral effort which included corporate partners.

Article 13(a): The Right to Family Benefits

992. In February 1998, Alberta initiated the Child Health Benefit program, which provides enhanced medical coverage for children in low-income working families. The Benefit covers children's prescriptions, optical and dental services, essential diabetic supplies and emergency ambulance service. The Child Health Benefit supports low-income parents who remain in the work force so that fewer families, including single parents, will require social security benefits.

Article 15: Legal Rights

993. Programs offered for adult and young female offenders are generally offered in co-correctional facilities. This promotes a normalized environment throughout the period of incarceration and provides the comparatively small population of female offenders equal access to a broad range of programs and services which would not be economically feasible to provide in a smaller all-female institution.

994. Co-correctional programs are structured to encourage self-respect, responsibility and positive interpersonal relationships among offenders, in as normal a setting as possible within the limits imposed by incarceration.

995. Those Alberta Correctional Centres that house both female and male offenders are also required to address certain unique needs of females. Programs specifically designed for female offenders, or programs in which females would be uncomfortable participating in the presence of male offenders, are viewed as supplemental rather than as replacements for co-correctional programming. Programming which is offered specifically for females includes Native spirituality, lifeskills, anger management, family violence, substance abuse, education, health care and depression. Not all centres have the resources to offer all of these programs, however every effort is made to address the defined needs of each individual offender.

996. The goals of the programs for female offenders housed in Alberta Correctional Centres are to ensure that the programs are: approached from a holistic perspective; reflective of the social realities of women; supportive of the development of self-esteem, autonomy and the element of personal choice; oriented towards community release; developed and provided in a culturally sensitive manner; and focused on family improvement issues, the development of independent living skills and the resolution of social/psychological issues.

997. The Victims' Programs Assistance Fund (established in 1991) continued to operate throughout the reporting period. Surcharge assessments imposed by the court on those

who are convicted under the *Criminal Code*, the *Narcotics Control Act* and the *Food and Drug Act* are deposited into the Fund. Individuals, groups or organizations providing or proposing to provide services to victims of crime may apply for funding. Though not targeted specifically at women, funds have been allocated to women's shelters and sexual assault centres, among other things. Funds total approximately $500,000 annually.

Article 16: Women and the Family

998. The Office for the Prevention of Family Violence completed its Community Project Funding grant program in 1994-95. Established in 1989 to support time-limited community initiatives that focus on the prevention of family violence, the 1994-95 fiscal year provided $113,411 to 27 projects province-wide. In total, the Office for the Prevention of Family Violence contributed $845,781 toward more than 200 projects which supported innovative community-based family violence prevention initiatives.

999. The Office for the Prevention of Family Violence continues to distribute its quarterly newsletter *FOCUS*, which highlights such issues as abused immigrant women, family violence in rural communities and Aboriginal issues.

1000. Throughout the reporting period, the Alberta Government provided over $9 million in funding for 17 women's emergency shelters, eight rural family violence prevention centres and two second stage housing units. These facilities provide abused women and their children with short-term crisis accommodation for up to seven days. In addition, the shelters and rural family violence prevention centres offer a range of services which are funded by the community and based on community needs.

1001. The Alberta Government's family violence activities are coordinated by the Interdepartmental Committee on Family Violence which is made up of representatives from seven departments.

1002. Both the Office for the Prevention of Family Violence and all four arms of Alberta Justice have worked together actively since departmental "violence initiatives" were introduced in 1990. Justice continues to involve the Office for the Prevention of Family Violence through consultation and delivery of education programs for police, prosecutors and corrections officials, which are offered on an annual basis.

1003. The Alberta Government waived the commencement fee for "stand alone" restraining orders in January 1996. This change ensured that obtaining a restraining order is not an impediment to those at risk who need an order, but who do not have sufficient financial resources to pay the filing fee.

1004. In March 1998, the Alberta Government introduced a bill to protect family members from domestic violence. The *Protection Against Family Violence Act* protects family members from physical violence or the reasonable threat of such violence. The legislation provides for the availability of emergency protection orders on a 24-hour basis through justices of the peace. as well as Court of Queen's Bench protection orders, to safeguard Albertans from family violence. Orders can provide for no contact and can also grant the exclusive right to occupation of the family residence. There are no fees for the filing of protection orders. Furthermore, warrants of entry are available for authorities to search for a family member who may have been subjected to family violence, where access to that family member is being denied.

British Columbia

General

1005. This report contains information on government initiatives respecting the elimination of discrimination against women during the period of April 1, 1994 to March 31, 1998. As such, this document is British Columbia's submission to *Canada's Fifth Report on the Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW).

Article 2: Anti-Discrimination Measures

1006. Essentially, there are two overlapping legislative schemes that address the issue of discrimination against women in British Columbia. First, there is the *Canadian Charter of Rights and Freedom* (the Charter). As one of the cornerstones of the Canadian Constitution, the Charter applies to all provinces and territories. Second, British Columbia, along with all the other provinces in Canada, has passed its own human rights legislation designed to promote equality amongst its citizens — British Columbia *Human Rights Code* (R.S.B.C. 1996, c. 210).

Human Rights Code

1007. Like the Charter the British Columbia *Human Rights Code* (the Code) also prohibits discrimination against women. The essence of the Code is to protect against discrimination in four broad areas: employment; publications: sale and rental of property; and services, facilities and accommodation that are customarily available to the public. In each of these four broad areas, discrimination on the ground of "sex" is strictly prohibited.

Human Rights Advances in British Columbia

1008. The period 1994-98 witnessed a series of important developments in the human rights scheme in the province. In February 1994, the provincial government commissioned law professor and human rights expert, Bill Black, to conduct a complete review of the British Columbia human rights system. After holding extensive meetings throughout the province, Professor Black submitted his findings in September 1994. In his report, Professor Black recommended a structural and procedural reorganization of the British

Columbia Human Rights Council. In short, he advocated a separation of the Council into two distinct bodies — a commission and a tribunal — so there would be a separation of adjudicative functions on the one hand from educational and advocacy functions on the other.

1009. Effective January 1, 1997, the provincial government adopted the majority of Professor Black's recommended structural and procedural amendments, and the British Columbia Council of Human Rights was replaced by the British Columbia Human Rights Commission and the British Columbia Human Rights Tribunal. As well, a voluntary community-based Human Rights Advisory Council was established as a vehicle to transmit the views of the community to the Human Rights Commission and the Minister Responsible for Human Rights.

1010. The British Columbia Human Rights Commission plays a broad public education role. While their activities are too numerous to list in full, relevant examples of their engagement in advancing women's equality include the commission of a report entitled *Factors Affecting the Economic Status of Older Women in Canada: Implications for Mandatory Retirement*, as well as participation in activities to recognize both the International Women's Day on March 8th and Prevention of Violence Against Women Week, April 16-22.

Ministry of Women's Equality

1011. In November 1991, the British Columbia Government established the Ministry of Women's Equality (MWE), Canada's first and only free-standing ministry dedicated to advancing equality for women. MWE consults, researches, advocates and educates on equality for women, particularly in the areas of economic equality, ending violence against women, and women's health and social justice. The Ministry recognizes the diversity of women in British Columbia by ensuring its policies, programs and services are accessible and responsive to the needs of all women.

1012. As part of its central agency role in advocating for social reform, MWE provides expertise on gender inclusive analysis to other government decision makers so they may determine whether new legislative, policy and program recommendations support equality for women. During the reporting period, the Ministry published a revised *Gender Lens* guide on gender inclusive policy analysis and provided training on its integration into all stages of policy/program development, implementation and evaluation work. MWE also published new editions of *Women Count: A Statistical Profile of Women in B.C.* which includes information relating to women's employment and wages, education, health, experiences of violence, and access to decision making. In a related vein, the

Ministry contributed to the development and distribution of *Economic Gender Equality Indicators* to assist in planning strategies to promote economic equality for women. MWE has become the leading agency in a major government strategy to address the issue of violence against women. The strategy has a three-pronged approach: to stop violence against women; to support women who have experienced violence; and to assist communities in preventing such violence. The Ministry funds community-based intervention services, for example, transition houses, including those with specialized services for Aboriginal women and for women who have mental health or addiction problems. MWE also funds safe homes, second-stage housing, counselling programs, sexual assault and woman assault centres, training programs for direct service providers, as well as counselling programs for abusive men.

1013. In fiscal year 1997-98, MWE had a staff of 81 and a total budget of $38 million. Of this, $30.8 million was dedicated to Stopping the Violence initiatives. Stopping the Violence initiatives grew substantially from 1991 to 1997.

1014. In its work to change the behaviours, attitudes and conditions that underline violence against women, MWE undertook a number of activities. For example in 1998, the Ministry hosted two symposiums on the prevention of violence where representatives from many sectors across B.C. worked to identify strategies to address the root causes of violence. MWE also launched, in partnership with the BC Broadcasters Association and other community organizations, a 10-year Live Violence Free public education program, which introduces issues of violence against women and encourages individuals and communities to get involved in preventing such violence. Funding was also provided to publish documents such as *A Safer Future for B.C. Women*; *Keeping it Safe — Women at Work; No Means No;* and *Are You Being Stalked?* These publications deal with broad issues such as prevention of violence against women, developing safe workplaces, date rape and criminal harassment.

1015. The provincial government has implemented other measures to increase women's safety, including the implementation of the Violence Against Women in Relationships (VAWIR) policy which places proactive responsibility on the police to arrest (and the Crown to prosecute) alleged abusers. Other examples of women-centred anti-violence programs include the provision of 911 cellphones to women considered at extreme risk of relationship violence in nine of the province's communities. MWE also supported the creation of a central Protection Order Registry established by the Ministry of Attorney General to enhance women's safety by facilitating the protection of restraining orders and peace bonds and allowing police access to civil and criminal enforcement orders 24 hours a day, seven days a week. Finally, MWE was active in seeking a declaration of two province-wide weapons amnesties to bring attention to the misuse of firearms, spousal homicides, and the use of weapons in threats, coercion, and physical and sexual assaults against women. In these two initiatives alone, nearly 5,000 firearms and more than 198,000 rounds of ammunition were voluntarily surrendered.

Articles 3 and 7: Measures to Ensure the Advancement of Women and Women in Politics and Public Life

Political Rights

1016. The right to vote in a federal election is constitutionally guaranteed in s. 3 of the *Canadian Charter of Rights and Freedoms*.

1017. British Columbia also guarantees the right of all citizens over the age of 18 to vote in provincial and municipal elections pursuant to the *Election Act* (R.S.B.C. 1996, c. 106, s. 29).

1018. Further information on the protection of political rights can be found in British Columbia's contribution to *Canada's Fourth Report on the International Covenant on Civil and Political Rights.*

Participation of Women in Leadership Positions Within Government

1019. During the reporting period, MWE worked to expand opportunities for women to participate in decision making by advocating for gender equity in government boards, commissions and planning bodies. In March 1998, women made up 45 percent of such appointments, compared to approximately 25 percent in 1991.

1020. In addition to advocacy on the part of MWE the British Columbia Government's Employment Equity Program is designed to ensure greater representation of women in management level positions within the public service. Substantial inroads have been made in encouraging the promotion of women within the public sector.

Publicly Funded Child Care

1021. The British Columbia Government funds a variety of child care services and systems. As women typically take on the primary responsibility for child care, these provisions can potentially provide them with greater access to training and jobs. An annual budget of $188 million is used to support a number of child care-related programs, including the Child Care Subsidy Program, which provides financial support for low-income families to pay for child care. The budget also supports the Compensation Contribution Program, which assists group child care programs to attract and keep staff by supplementing the wages of child care providers. The monies also support the Infant/Toddler Incentive Grant program, which helps licensed family child care providers cope with the extra costs associated with the care of infants and toddlers. The government funds the Emergency Repair, Replacement and Relocation Grant program to help child care facilities maintain safety standards and retain child care spaces. Finally, through this allocation of $188 million, the government funds local non-profit associations through the Child Care Resource and Referral programs to enable these organizations to provide training, support, resources and referral services for child care providers and parents in more than 170 communities in the province.

Article 4: Temporary Special Measures

1022. The *Human Rights Code*, s. 42, permits employment equity programs which seek to improve the participation of disadvantaged groups in the work force, including women.

Article 5: Elimination of Stereotypes

Modifying Social and Cultural Patterns to Eliminate Prejudices

1023. Some of the measures implemented to eliminate sex role stereotyping and prejudice include the production of a video and discussion guides, entitled *Raising Young Voices*, which examine the impact of gender socialization on the self-image and aspirations of young women. The kit was developed for parents, teachers and school administrators. Government funding was also provided for community-based projects that promote positive body images for young women, as well as programs aimed at increasing fitness and recreation opportunities for young girls. Finally, funding was provided to non-profit societies through the provincial Information, Science and Technology Agency's "Partners in Science Awareness" campaign to undertake projects to increase women's and girls' interest in science and technology-related career opportunities.

Family Education

1024. The importance of maternity as a social function and recognition of the common responsibility of men and women in the upbringing and development of their children is highlighted in legislation such as the *Human Rights Code* and the *Employment Standards Act*. The *Human Rights Code* protects women's right to breastfeed their children both at work and in public places. In the Code, both s. 8 (which deals with discrimination in public services and facilities) and s. 13 (which deals with discrimination in employment) prohibit discrimination on the basis of sex. This prohibited ground would extend to include women who wish to breastfeed.

1025. In terms of protections in the realm of employment, Part Six of the *Employment Standards Act* offers significant safeguards to working women by providing legislatively sanctioned pregnancy, parental and family responsibility leaves.

Article 6: Trafficking of Women and Prostitution

Interministerial Assistant Deputy Minister Committee on Prostitution and the Sexual Exploitation of Youth

1026. In 1994, an interministerial Assistant Deputy Minister Committee on Prostitution and the Sexual Exploitation of Youth (the ADM's Committee) was created. The ADM's Committee is comprised of representatives from nine provincial government ministries who meet on a regular basis to ensure that there is an integrated provincial approach to sexual exploitation and prostitution. The ADM's Committee has developed and continues to improve a province-wide government response that combines both enforcement efforts and social supports. The ADM's Committee also provides funding support to a small annual grant program ($5,000 per project) for community action teams and other organizations to address the sexual exploitation of youth and other prostitution-related issues at the local level.

Provincial Action Plan on Prostitution

1027. In an effort to further the work of the ADM's Committee, the Province of British Columbia developed a Provincial Action Plan on Prostitution in 1995. The objectives of the Plan are to respond to the needs of sexually exploited youth. to prevent recruitment and sexual exploitation of youth and women through prostitution, and to address violence against women in the sex trade.

Provincial Prostitution Unit

1028. One of the Plan's recommendations was the creation of a Provincial Prostitution Unit, which was implemented in 1996. The Provincial Prostitution Unit is made up of a team of three police officers, a community coordinator, a Crown Counsel and a social worker who work together with communities across British Columbia to develop integrated prevention, education, enforcement and intervention strategies for addressing local problems. The Unit has trained police, judges and the Crown on the dynamics of prostitution and sexual exploitation of youth, as well as advocating enforcement strategies which focus on the pimps and adults buying sex rather than on the sex trade workers themselves. In addition, the Unit assists police agencies with enforcement operations around the province, and provides advice, assistance, and education workshops to other service providers, youth and caregivers.

1029. In a relatively short time frame, the Provincial Prostitution Unit has assisted with the establishment of 17 Community Action Teams across the province and provides support to these teams. The Action Teams consist of provincial and municipal government representatives, service providers, youth, caregivers, and other concerned individuals who work together at the community level to address prostitution-related issues.

1030. The Provincial Prostitution Unit is also concerned with the larger question of the international trafficking of women. During the reporting period, the Unit began exploring ways to address the problem of trafficked women and children who end up in British Columbia. The work of the Unit with respect to the global trafficking of women is strongly supported by the British Columbia Ministry of Attorney General. Discussions have already taken place between the British Columbia Ministry of Attorney General and the federal Minister responsible for Immigration in an attempt to develop a coordinated nation-wide response to this issue.

Prevention and Awareness

1031. Recognizing that many adult prostitutes entered the sex trade as children or youth, British Columbia has implemented a variety of prevention and awareness initiatives. Some of the relevant initiatives include: a province-wide poster campaign aimed at raising awareness about the sexual exploitation of children and youth; the development and distribution of a resource package, entitled *Being Aware, Taking Care*, for individuals and groups to assist communities, parents and schools in addressing the sexual exploitation of youth; and the establishment of a youth drama group that facilitates workshops focusing on the issue of the sexual exploitation of youth.

Funding

1032. Each year, the British Columbia Ministry of Attorney General spends approximately $1,000,000 to address the issues of prostitution and the sexual exploitation of youth. This financial commitment provides funding to a variety of different services and programs including the Provincial Prostitution Unit, two street outreach workers and prevention/awareness programs.

1033. The Ministry of Women's Equality (MWE) provides funding through its program A Safer Future for B.C. Women to the Global Alliance Against Trafficking in Women (GAATW), an organization which examines the issue of trafficking women in Canada with the goal of developing strategies to address and prevent such trafficking. The Ministry also funds Prostitutes Empowerment, Education and Recovery Society, an organization comprised of current and former teenaged prostitutes which reviews government policies and services that affect teenaged prostitutes in order to provide feedback to government.

Article 10: Education

1034. The Government of British Columbia has implemented a number of programs and services to provide girls and women equal access to training and education opportunities. For example, the Ministry of Education has a Gender Equity Program which has a mandate to improve opportunities, access and support for all girls and women in the province's education system by promoting the principles of gender equity. Specifically, the Gender Equity Program targets teacher education, curriculum development, learning resources, district policy and classroom practice.

1035. The largest component of the Gender Equity Program is the provision of grant support for projects throughout the education system. Individuals, organizations and districts have developed appropriate curriculum outlines, learning resources, conferences, research and district policy.

1036. Another important initiative designed to promote gender equity in education was the decision to freeze tuition fees for colleges and universities in the province. Tuition fees have remained frozen since 1995, thus affording more women the opportunity to access post-secondary education.

1037. A third initiative was the creation of the provincial Industry, Training and Apprenticeship Commission. The Commission has a mandate to increase women's representation in apprenticeship programs. Equity initiatives undertaken with business, labour and education are designed to bring the proportion of work-based training positions held by women, Aboriginal people, visible minorities and other disadvantaged groups in line with their share of the provincial population.

1038. In addition, the government established a number of bursaries and funding programs in order to encourage women's enrolment in programs traditionally dominated by men.

1039. Other initiatives undertaken to improve education and training opportunities for women include building an employment equity component into large infrastructure projects, such as the Vancouver Island Highway Project to ensure that women and other equity groups receive adequate employment and training opportunities. Equity initiatives on the highway project included active recruitment from the communities along the highway, as well as equity, diversity and harassment training. Female applicants were eligible to receive training that allowed them to work on the highway project in such areas as labouring, heavy equipment operations and truck driving.

1040. Within government itself, bridging programs have been developed in order to support the advancement of women into more senior positions. For example, Opportunities '90s, sponsored by the Ministry of Transportation and Highways, enabled finance or administration employees (mainly women in clerical positions) to sample a job in a technical field before committing to training and competition.

1041. Finally, the Government of British Columbia funds the B.C. Benefits initiative with a view to helping low-income women to either remain in or return to an employment situation. Two related programs — Youth Works and Welfare to Works — offer a variety of job search and skill development services.

Article 11: Employment

1042. The provincial government is committed to closing the wage gap between women and men in British Columbia and to making the workplace more responsive to women's needs and circumstances. For example, since 1992, the government has increased the minimum wage by $2.15 an hour, making it $7.15 per hour as of April 1, 1998 — providing a boost for British Columbia's 90,000 minimum wage earners, about 60 percent of whom are women. Also since 1992, there have been $123.4 million in wage increases for low-paid workers in the health and social services sector, again most of whom are women. In addition, $86 million in pay equity adjustments for women in the public sector helped to set a standard for women to receive equal pay for work of equal value.

1043. The fifth reporting period has witnessed a number of changes to employment and labour legislation. Changes to the *Employment Standards Act* extend coverage to live-in domestic workers to prevent unfair working conditions. A new Regulation under the Act requires employers to register domestic workers with the Employment Standards Branch and clarifies the rights of the worker and the obligations of the employer.

Article 12: Health

1044. The British Columbia Women's Hospital and Health Centre was established in 1994 to provide a broad range of women's health services. For example, services are provided in the areas of: osteoporosis; infertility; recurrent pregnancy loss; sexual health; contraception; abortion services and counselling; midwifery; prenatal diagnosis; comprehensive pregnancy care; breast health; HIV/AIDS; residential and non-residential women's addiction centres; cervical screening programs for Aboriginal women; community education on women's health issues; and emergency sexual assault treatment.

1045. Also during the reporting period, the Women's Health Bureau was established within the Ministry of Health. The mandate of the Bureau is help the Ministry of Health to promote a health care system that is responsive to the unique needs of women and to enhance understanding of women's health care issues among government and health care providers.

1046. To bolster the government's goal that the health care system be made more responsive to women's needs, the Advisory Council on Women's Health was established. The Council advises the Minister of Health on key health issues for women in order to fashion methods and systems to improve the health and well-being of women, their families and communities.

1047. In addition to the initiatives of the Ministry of Health, the Ministry of Women's Equality (MWE) also advocates for improvements in the health care system for women. For example, MWE advocated for strong representation of women in regional health authority organizations. In British Columbia, 54 percent of the 583 members of government-appointed regional health boards and community health councils are women. Twenty-three percent of chief executive officers — the most senior health care officials for the health authorities — are women. The Ministry has also worked with the newly-created B.C. Centre of Excellence for Women's Health in identifying the social determinants of health and articulating the features of women-centred health care.

1048. In this reporting period, the government has sought to strengthen women's choices with respect to reproduction. With respect to the provision of abortion services, the government has instituted additional provisions to ensure the safety of both providers and women seeking those services. In 1995, the government introduced the *Access to Abortion Services Act* which created four "bubble zones" around facilities that provide abortion services as a proactive measure to address safety concerns.

1049. There are now also more choices available to women with respect to childbirth. Changes to government policy make midwife-assisted births a legal option for healthy women with normal, low-risk pregnancies. In order to assist women to exercise this choice, the College of Midwives of British Columbia registers midwives who are available to provide this service.

1050. Other programs and services include the Screening Mammography Program of British Columbia operated by the province's Cancer Agency and funded by the Ministry of Health. The Program operates 24 screening centres and four mobile services throughout the province. British Columbia was the first jurisdiction in North America to introduce a government-funded mammography screening program.

1051. As well, the government established the Aurora Centre for the research and treatment of women's addiction problems at British Columbia's Women's Hospital and Health Centre. The centre includes 25 residential beds and 10 day treatment spaces. It is also the home of two provincial consultants on prevention and early intervention in fetal alcohol syndrome (FAS), as well as a provincial research consultant on women and addiction.

1052. At the same time, the government has provided additional funding to ensure that addiction programs for women were extended to all regions of the province. Other government-supported addiction services include withdrawal management, outpatient, residential and support recovery.

1053. During the reporting period, the government has introduced a number of programs directed at Aboriginal women and low-income women. The services aimed at improving the health of Aboriginal women include: health education services specifically designed for First Nations women; 96 addictions/mental health programs; a number of Pregnancy Outreach programs; and FAS/Effects programs.

1054. The programs targeting low-income women include providing pharmacare health benefits. In this program, the Ministry of Health will reimburse 100 percent of the costs of prescriptions over the $600 deductible.

Article 13: Economic and Social Life

Economic Rights

1055. Women and men in British Columbia have equal rights to take out bank loans, mortgages, and other forms of financial credit. Women can pursue these financial services alone without the consent of their husbands or fathers.

1056. The Government of British Columbia is seeking to advance beyond this formal equality between men and women towards substantive equality between the sexes. In recognition of the particular challenges women face in achieving substantive economic and social equality, the province initiated a number of legislative changes during the reporting period. For example, changes to the *Pension Benefit Standards Act* have enhanced economic security provisions for women by legislating pensions for part-time workers, portability of plans between different employers, shorter vesting periods and minimum survivor benefits requirements. In addition, legislation governing the Workers' Compensation Board (WCB) extended survivor benefits (retroactively) to all surviving spouses, regardless of current marital status, to make more survivors eligible for benefits, therefore increasing their financial security. Workers' coverage was also extended to banking, office and domestic employees as well as to farm workers.

1057. Advances were also made on the policy side as well. For example, the MWE helped develop public education programs, such as *Money Smarts for Young Women* and *Starting Your Own Business: A Resource Guide for Women*, to empower young women to take greater control of their financial future and to provide basic information, checklists and contacts for those wanting to start their own business.

Social and Cultural Rights

1058. With respect to social and cultural rights, women in the province share equal rights with their male counterparts to participate in recreational activities, sports and cultural activities. As previously mentioned under Article 5, the Government of British Columbia actively funds programs to bolster women's and girls' participation in sport and other recreational activities.

Article 14: Rural Women

1059. MWE has taken on a leadership role in order to ensure that women's voices are heard and that they have access to the services they need in their own communities. In the first instance, the Ministry provides a regional presence throughout the province. Twelve regional coordinators in seven regions work with community agencies to support effective regional delivery of Ministry programs in all areas of British Columbia. Second, MWE supports initiatives such as training for direct service providers to increase the skills needed to support women who have experienced violence. In all, training was provided for professionals in more than 300 direct service workers in over 90 agencies in rural and urban communities across the province. Third, 38 women's centres located in both rural and urban centres receive operational funding to provide women with support services such as information and referral, support groups, advocacy, job entry programs, pre-employment training, child care services, crisis counselling, housing registries, clothing exchanges and subsidized meal programs. Finally, MWE supports seven Violence against Women Community Coordination Programs which provide input and leadership to their local Violence Against Women in Relationships Coordination

Committees. Committee members represent the justice system, health, education, women's services and other related organizations.

Article 15: Legal Rights

Equality of Women Before the Law

1060. Both Canada and the province of British Columbia accord women equality before the law. The *Canadian Charter of Rights and Freedoms* attaches to any government actor or act, including any law or regulation in any jurisdiction in Canada. Section 15, the equality provision, guarantees women the "right to equal protection and equal benefit of the law." The importance that Canada places on the equality between men and women is further supported by s. 28 of the Charter which states that "Notwithstanding anything in this Charter, the rights and freedoms referred to in it are guaranteed equally to male and female persons."

1061. Women in British Columbia may serve as lawyers, Crown prosecutors and judges. They are often called as witnesses and, of course, routinely serve on juries. In terms of jury selection, it is the sheriff in a given community who assembles a list of possible jurors. This list is generated by randomly selecting people from elections lists, as well as from First Nation band lists.

1062. In response to the 1992 Law Society of British Columbia's report, *Gender Equality in the Justice System*, the Ministry of Attorney General established the position of Gender Equity Special Advisor with the responsibility to report to the Deputy Minister. The Law Society's report included approximately 100 recommendations in eight areas: women in the legal profession; the treatment of women in the courts; family law; civil law; the justice system's response to violence against women; women as offenders; employment; human rights and immigration; and education. The Gender Equity Special Advisor's role was to ensure that government fulfilled its commitment to implement these recommendations. The *Towards Justice for Women* annual status reports document implementation efforts in these areas. By 1997, the Gender Equity Special Advisor had completed her role, and the principles of gender equity had been fully integrated into all aspects of the justice system in British Columbia.

Equality of Women in Civil Matters

1063. Women have the same legal rights as men to enter into contracts and to acquire or hold property. No distinction is drawn on the basis of gender in terms of anyone's legal capacity.

1064. Please refer to British Columbia's submission to *Canada's Third Report on the International Covenant on Economic, Social and Cultural Rights* for further information on the protection of civil rights that has not been included in this report.

Private Contracts Restricting Women's Legal Capacity

1065. Research has not revealed any evidence to suggest that people are entering into contracts or other private instruments which attempt to limit women's legal capacity in British Columbia. It does not appear to be a live issue in this jurisdiction.

Mobility Rights

1066. Mobility rights are constitutionally guaranteed in s. 6 of the *Canadian Charter of Rights and Freedoms*. Specifically, s. 6 provides that:

> "6. (1) Every citizen of Canada has the right to enter, remain in and leave Canada.
>
> "(2) Every citizen of Canada and every person who has the status of a permanent resident of Canada has the right
>
> "(*a*) to move to and take up residence in any province; and
>
> "(*b*) to pursue the gaining of a livelihood in any province."

Article 16: Women and the Family

1067. The *Family Relations Act* (FRA) provides that on marriage breakdown, a dependent spouse may claim spousal support from the other spouse. This also applies to unmarried couples who live together for at least two years before separating, if the claim is made within one year of when they stopped living together. In determining whether to make an order, the court must look at the following: the role of each spouse in their family; an express or implied agreement between the spouses that one has the responsibility to support and maintain the other; custodial obligations; the ability and capacity of (and reasonable efforts made by) either or both spouses to support themselves; and economic circumstances.

1068. The FRA also provides that upon marriage breakdown, the spouses are entitled to an equal division of family assets, unless they agree (or the court orders) otherwise. These provisions also apply to unmarried couples who make an agreement.

1069. The FRA says that the mother and father of a child are joint guardians of the child as long as they live together, regardless of whether they are married to each other, unless a tribunal of competent jurisdiction orders otherwise. If the parents separate, they remain joint guardians of the estate of the child, and the parent who usually has care and control of the child is the sole guardian of the person of the child, unless a tribunal of competent jurisdiction orders otherwise. Under the FRA, each parent is responsible for the financial support of his or her children. The court must give paramount consideration to the best interests of the children when making, varying or rescinding an order for custody, access or guardianship.

1070. Under the *Adoption Act*, a child may be placed for adoption with one adult, or two adults jointly. The paramount consideration in adoption is the best interests of the child.

1071. The British Columbia *Marriage Act* provides that a marriage licence must not be issued to a minor in the province (a person under 19 years of age) nor a marriage solemnized, unless the minor has the written permission of his or her parents. If the minor is under 16 years of age, a court order is required authorizing a licence to be issued and the marriage to be solemnized. A marriage solemnized in British Columbia must be registered as provided under the *Vital Statistics Act*.

PART IV

Measures Adopted by the Governments of the Territories

Northwest Territories

Article 2 : Anti-Discrimination Measures

1072. During the period of this report, there were several working groups looking at the issues surrounding child support and the rights of women and children in territorial legislation. The work of these groups lead to significant changes in legislation which was drafted and tabled during the reporting period, and brought into force in late 1998. This legislation included the *Family Law Act, Children's Law Act, Child and Family Services Act* and *Adoption Act*. One of the effects of this legislation was to eliminate the distinction between women in common-law relationships and married women in the areas of support, division of property and the adoption.

Article 3 : Measures to Ensure the Advancement of Women

1073. During the reporting period, the Department of Health and Social Services continued to provide financial support to women's shelters and family violence prevention programs. Additional support was also provided by facilitating tele-conferences, territorial meetings and training opportunities.

1074. In 1995/96 funding was provided to the Status of Women Council of the Northwest Territories (NWT) to develop *Dark to Light: Regaining a Caring Community* workshop manuals. These plain language facilitation guides for care givers were used in community workshops, with topics such as spousal abuse, child sexual abuse, sexual assault, healthy relationships, parenting skills and abusive men support groups.

1075. The Departments of Justice and Health and Social Services funded the Status of Women Council of the NWT to produce six public service announcements (PSA's) aimed at preventing abuse. The PSA's were entitled *There's No Excuse for Abuse*. Topics included spousal assault, alcohol and drug abuse, child abuse, sexual harassment, sexual assault and elder abuse. The PSA's were translated into Aboriginal languages and shown on CBC North and Television Northern Canada. They were also recorded on audio tape and distributed to local radio stations.

1076. In 1995/96, Health Canada provided funding to the NWT Seniors' Society for a series of televised PSAs for seniors, as well as elder abuse workshops. The PSAs were produced in English and two Aboriginal languages and were aimed at seniors in remote communities across the NWT. The workshops, which focussed on elder women's rights and the identification forms of abuse, were delivered in various communities across the NWT.

1077. In 1997, the Department of Health and Social Services provided approximately $17,000 to produce a series of posters based on the theme *A World Without Abuse*. This promotion against abuse was produced and translated into all official languages of the NWT. These posters were widely distributed across the North.

1078. The Status of Women Council for the NWT collaborated with the Northern Women's Human Rights Committee in the production and distribution of *NWT women And Human Rights Fact Sheets* (1997) and *Human Rights for All* video (1998). to raise public awareness of human rights and the need for improved human rights remedies in the NWT.

1079. The Status of Women Council annually produces and distributes public information kits concerning Take Back the Night, the National Day of Remembrance and Action on Violence Against Women, and International Women's Day. The Council carries out activities to raise the profile of Northern women and celebrate their accomplishments, including the Wise Woman Awards, which honour women who are role models and advance the well-being of women and families in their community. In 1998, the Council produced a two year calendar, *Honouring Our Women of the NWT*, which included biographies, photographs and testimonials from many NWT women.

Article 4: Temporary Special Measures

1080. During the reporting period, the number of women in non-traditional roles in the public service remained constant at approximately 13 percent.

1081. In 1994, a pilot program which provided mentoring for women, entitled *Women in Transition*, was concluded. During this same year, a review of the Government's Affirmative Action Policy was commenced.

Article 5: Elimination of Stereotypes

1082. In 1994/95, the Department of Justice undertook several projects to educate the public on the joint responsibility of parents to support their children. These projects included the development of posters and pamphlets as well as a comic book for use in high schools. These materials were produced in three languages. The Department also produced a 28 minute video in English and Inuktitut which addressed various child support issues.

1083. During the reporting period, the Department of Justice continued to collect and process child support payments though the Maintenance Enforcement Program. In 1997, an additional Maintenance Enforcement Officer position was created to assist with the growing number of child support files being opened.

1084. In 1997, a Family/Civil Law Information Officer position was created within the Department of Justice. The role of this position was to identify the need for materials to explain the child support laws and court process as well as to provide information to persons seeking assistance with the civil justice system. A toll-free telephone line was put in place so that persons could access information on child support free of charge.

Article 7: Women in Politics and Public Life

1085. During the reporting period, the number of women in management in the NWT public service remained constant at about 27 percent, even though there was a 16 percent reduction in the size of the public service.

1086. The Status of Women Council and the Native Women's Association of the NWT collaborated for several years to ensure that women had input into the development of a new constitution for the NWT. In 1994, this included a women's constitutional conference. In 1995, a report entitled *A global and Western NWT Perspective on Guaranteed Representation Based on Gender Equ*ality was produced. In 1997, the Council and the National Inuit Women's Association produced and distributed public education material on the proposed gender parity proposal for the Nunavut Legislative Assembly.

Article 10: Education

1087. In 1994, the Status of Women Council and the Canadian Congress for Learning – NWT released a report entitled *Adolescent Girls in the NWT: Academic Preparation and Career Planning*, which addresses the attitudes and participation of female students in math, science and related careers.

1088. In 1996/98, North of Sixty Women in Trades and Technology and other organizations piloted Construction Technology for Women as a fully accredited high school program to introduce female students to careers in construction technology. This program has since become a regularly offered course.

Article 12: Health

1089. In 1994/95, a three year project was concluded which saw collaboration between the Department of Health and Social Services and the Status of Women Council on issues related to women's health. These issues included the use of Depo provera (a birth control drug) and the development of a discussion paper entitled the *Mental Health Problems and Needs of Canadian Aboriginal Women* and the Abortion Services Review Report. In the second phase of the project, the partnership expanded to include the Yellowknife YWCA, the Native Women's Association of the NWT and the Canadian Cancer Society/NWT Unit. A wide variety of public health education materials were produced during the two phases of the project. First phase materials included pamphlets, videos, free condom kits and PSAs. The materials addressed the issues of self esteem for adolescent women, a northern version of *Yes you Can* on the prevention of breast and cervical cancer and a poster promoting the use of traditional knowledge in pre-natal care.

1090. In 1997, a needs assessment report, *Breast Cancer in the NWT: the Voice of Survivors* was produced by the Status of Women Council. As well, a breast health manual for community health centres and booklets in 11 languages were produced.

1091. In 1994, after regional consultation and consultation with women's groups, the Department of Health and Social Services provided funding to produce a variety of promotional material including pamphlets, a video and PSAs as part of the NWT Women's Health Project. While the promotional materials were aimed at all women, special attention was given to reaching women aged 15 to 25 regarding sexually transmitted diseases. The materials were produced in three languages.

1092. In February 1997, routine pre-natal screening for HIV/AIDS became policy as part of a comprehensive prevention strategy. With the support of NWT physicians, the Government of the NWT has promoted an "opt out" strategy to HIV/AIDS screening. This means that women are automatically screened, unless they indicated that they do not want to be. This approach was adopted to prevent pre-natal transmissions and better diagnose existing infection.

1093. In February 1998, HIV/AIDS workshops were held in the Women's Correctional Centre in Fort Smith and the Baffin Correctional Centre in Iqaluit. The workshops, in both English and Inuktitut, reinforced harm reduction messages and a peer counseling approach.

Yukon

Introduction

1094. This Report is the submission for the Yukon Territory, covering the period from April 1, 1994 to March 31, 1998.

Article 3: Measures to Ensure the Advancement of Women

1095. The *Human Rights Act* states among its objectives the advancement in Yukon of a public policy that every individual is free and equal in dignity and rights, as well as the promotion of recognition of the inherent dignity and worth, as well as equal and inalienable rights, of all members of the human family.

1096. In the fall of 1998, amendments to the *Maintenance and Custody Enforcement Orders Act* and the *Family and Property and Support Act* changed the definition of spouse to include both common-law and same-sex couples, thus ensuring that the provisions of these Acts apply equally to all families.

1097. The Yukon Women's Directorate has developed a statistical database of women in the territory, *Counting Us In: A Statistical Profile of Yukon Women*, a Women's Directorate publication, was released on April 12, 1999, and launched Gender Equity Awareness Week. The document compiles data from a variety of sources and provides sex-desegregated information on the lives of Yukon women and men. It is a tool to help government decision makers and policy analysts use gender-based analysis.

1098. From 1994 to the present, the Women's Directorate has been undertaking research, policy development and public awareness on issues such as family violence, economic security, pension reform, poverty, balancing work and family, gender equity, sexual assault and women abuse, and issues specific to Aboriginal women, young women and older women.

1099. In 1997, the Yukon Government introduced the *Crime Prevention and Victim Services Trust Act*, which establishes a trust and a framework for its administration. The Trust funds community-based projects and programs directed at crime prevention and victim services. It is one of several pieces of legislation that encourage the community to become involved in finding solutions to serious concerns such as violence against women.

1100. In 1997, the *Family Violence Prevention Act* was introduced. This legislation focuses on the victim by offering three protective court orders that provide several ways in which victims can seek help: an Emergency Intervention Order, a Victim's Assistance Order and a Warrant of Entry.

1101. In the role as co-chair of one of the Federal-Provincial-Territorial Status of Women Senior Officials Working Groups, the Director of the Yukon Women's Directorate co-facilitated the Québec City Task Force three-day meeting to build a strategic framework (in French and English) on Preventing Violence Against Women, which was released by the Federal-Provincial-Territorial Status of Women Ministers at their annual meeting in Charlottetown, Prince Edward Island in July 1999.

1102. *Options, Choices, Changes*, a resource for women who are in abusive relationships, was released in Yukon in May 1999 during Sexual Assault Prevention Month. This resource had been adapted from the Nova Scotia Status of Women's Council.

1103. Since 1996, the Women's Directorate and the Youth Achievement Centre, Health and Social Services have organized the Young Women of Grit program. This program is a three-week adventure-based, outdoor leadership program designed for young women aged 13-18 who are working towards positive change in their lives. Activities include rock climbing, and an 11-day canoe trip. Group sessions include team building, discussions on self-image, trust and cooperation, anger management, goal setting, problem solving, gender equity and healthy relationships. In 1995, the first such program ran as Women of Grit, for women experiencing hardship, violence or other stresses in their lives.

1104. *An Act to Amend the Human Rights Act* was passed in the fall of 1998 prohibiting discrimination based on source of income when seeking accommodation, applying for work, using a public facility or assessing a public service.

1105. The Yukon Human Rights Commission celebrates December 10 (Human Rights Day) and March 21 (Elimination of Racial Discrimination Day) by holding candlelight marches, circle ceremonies, sponsoring film festivals and holding open houses. The Commission sponsors community events through their Community Grant program where any person or group in Yukon can apply for funding to help offset the costs of a human rights project in the territory. The Commission requests that the Commissioner of Yukon proclaim December 10th as Human Rights Day in Yukon and advertise it in the newspaper.

1106. The Yukon Government worked with interdepartmental committees to develop the government's Anti-Poverty Strategy, Youth Strategy and Older Persons Strategy in 1998.

1107. In 1997, *In Other Words: An Inclusive Language Guide* was released to help government workers communicate in ways that reinforce the full participation of all people. It was designed to help those working in communications and policy to incorporate inclusive language in all program and policy development.

1108. Since 1996, in collaboration with the Regional Red Cross Society and the Royal Canadian Mounted Police (RCMP), the Women's Directorate co-chaired the Yukon Regional Advisory Abuse Prevention Services Program Committee. This is a Red Cross program coordinated and delivered in the Yukon. In the first two years, over 1,000 students received educational information on abuse and over 20 volunteers were trained.

1109. In 1995, *A Cappella North — A Survey of Teenage Girls in the Yukon* was released. The report included focus group discussions with over 200 young women. This document has proven invaluable both within and outside of government in developing initiatives to improve the quality of life for young women in the territory.

1110. In response to concerns expressed in the *Talking About Crime Committee Report*, a territory-wide consultation, in 1995 the Yukon Government initiated a crime prevention strategy called Creating Safer Communities. Issue papers on topics such as family violence, property-related crime, youth crime and offender management were released by an inter-departmental committee comprised of the departments of Justice, Health and Social Services, Education, Community and Transportation Services, the Women's Directorate and the RCMP.

1111. The Directorate co-chaired a Federal-Provincial-Territorial Status of Women Working Group on Violence Against Women in 1995. Projects included the bringing together of communications and information officers from across the country to a seminar and producing a document entitled *Beyond the Violence: Reaching for Higher Ground*. The Directorate also produced the third edition of *A Yukon Directory of Services and Resources*.

Article 5: Elimination of Stereotypes

1112. In 1998, the Government of Yukon's Department of Health and Social Services introduced the Healthy Families Initiative. This Initiative promotes parent-child bonding and attachment, as the quality of this interaction has been proven to play a significant role in positive outcomes for children. The program promotes positive parenting practices and child rearing, and assists families to create a safe and stimulating early childhood environment that encourages school readiness. The Healthy Families Initiative provides a long-term service (from three to five years) which helps families deal with new issues as children develop and as family circumstances change.

Article 6: Trafficking of Women and Prostitution

1113. In December 1997, the Department of Health and Social Services passed legislation to implement the *Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption*. The Hague Convention is consistent with Article 21 of the *Convention of the Rights of the Child*, which was passed by the United Nations in 1989. The legislation protects against illegal traffic in children through private adoption for purposes of organ retrieval, child prostitution and child pornography.

Article 10: Education

1114. Through the Family and Children's Branch, the Department of Education works to ensure the health and well-being of families. Programs within the Branch have received additional resources in order to identify problems leading to family breakdown and child abuse/neglect, prevention and support services to prevent harm to children, and the development and provision of information on healthy family functioning and the indicators of abuse/neglect to community and professional groups.

1115. Information and advice on family planning is available to women throughout Yukon by Community Health Nurses, the Whitehorse Health Centre and local physicians.

1116. In May 1996, the Gender Equity in Public Schools Policy was developed by an inter-agency committee and introduced in the Yukon Legislature. The policy responds to the many concerns raised in the *A Cappella North* report, released by the Women's Directorate in 1995, by providing guidelines that promote gender equity in all aspects of the school system. The areas addressed include curriculum, teaching practices, student and teacher relations, as well as school and community relations.

1117. As a follow-up to the release of the policy, a Steering Committee was formed to ensure that the policy would be implemented in an effective and timely manner. The implementation committee consisted of members from the Women's Directorate, Department of Education, Victoria Faulkner Women's Centre, Yukon Teachers Association, Yukon College Women's Studies, Les EssentiElles, and representatives from Yukon school councils and boards. The Steering Committee developed a draft implementation plan framework which included a consultation process involving the various stakeholders which built a comprehensive action plan for the implementation and monitoring of the gender equity policy in all Yukon schools. Pilot projects to assist in the implementation was the next step, which required contacting four schools (Hidden Valley School, St. Elias Community School, Watson Lake Secondary School, and Porter Creek Secondary), and assisting in the creation of Gender Equity teams.

1118. During 1998, a draft version of a *Readers' Guide to the Gender Equity in the Public Schools Policy* was developed by the Women's Directorate with approval by the Committee. In April 1999 the final version of *It All Adds Up* was released.

1119. In 1997, the Directorate sponsored Yukon Educational Theatre to tour rural communities to conduct conflict resolution workshops for elementary students throughout Yukon.

1120. In 1995, the Directorate cosponsored Act Out Theatre for a play dealing with the issue of family violence, and in 1996, it cosponsored the Theatre for a play dealing with the issue of gender equity. Both plays were written for and acted by youth.

1121. In 1995, a Yukon Curriculum Review on Gender Bias was prepared and distributed to schools, teachers and administrators.

1122. The Yukon Equity Project, a community-based committee, held a training retreat for adult facilitators in the spring and brought 40 youth together in November 1995, for a four-day retreat. The young women worked with female facilitators while the young men worked with male facilitators, and on the fourth day they met together to work on gender equity issues. From this project, the youth developed action plans which they have continued to work on in their own schools.

1123. Many Yukon schools now have Yukon School Improvement Plans which target gender and social equity issues. More schools will be assisted in developing these on a needs basis.

1124. In 1997, the Directorate worked with the Department of Justice, Partners in Children, and others on developing a workshop for divorcing and separating parents. From these discussions (and based in part on a similar program from Manitoba), the "For the Sake of the Children" program was established.

1125. The Task Force to Promote Safe Schools report was released in May of 1996 and contained 11 recommendations which were accepted and adopted by the Department of Education.

1126. The Department of Education has a Safe Schools Coordinator whose role it is to provide information and advice to students and staff in the area of discrimination towards women, as well as the broader problems related to safe schools.

1127. "SAFE TEEN" returned to Whitehorse in 1996 to present workshops in four Whitehorse secondary schools, a self-defence workshop for women, a workshop for men on men's violence, and a workshop for teachers and parents. The group also returned to Dawson City to present a number of workshops and public lectures.

Article 11: Employment

1128. The Department of Health and Social Services recently established the Professional Development Fund to provide financial assistance to health and social workers and to volunteers to advance their skills in the areas of health and social services. The Department has also established a Nursing Bursary to encourage people to take training in the nursing field.

1129. In October, 1994, the Yukon government implemented an Employment Equity Policy and continues to follow employment practices including: increased training in areas of non-traditional occupations, preferences on competitions in areas where there is under-representation, elimination of systemic barriers when preparing recruitment packages, use of temporary assignments, continual education of government employees respecting employment equity.

1130. In 1997-98, the Department of Health and Social Services added an additional $880,000 in funding to the Child Care Subsidy Program, an increase of 8 percent, for a total of $3.5 million. This subsidy assists low-income families in accessing child care facilities. In 1999, the Department also added an additional $350,000 to the Direct Operating Grant for licensed child care facilities, for a total of $1.57 million, to assist with the ongoing costs of operation and to help reduce user fees.

1131. In 1998, a Letter of Understanding was jointly signed by the Yukon Government and the Public Service Alliance of Canada (PSAC) to provide for an expedited workplace harassment grievance adjudication process. An investigator was jointly selected by union and management representatives to mediate or conduct investigations of complaints, prepare fact-finding reports and provide in-service training to employees, management and union representatives on workplace harassment prevention and resolution. Sexual harassment, personal harassment and abuse of authority are the three areas of harassment prohibited by the PSAC collective agreement and the employer's Workplace Harassment Policy.

Article 12: Health

1132. The Yukon Government is actively participating in the Social Union negotiations and working with other levels of government to deliver health care, education and social services. Yukon is presently chair of the Advisory Committee on Health Services.

1133. Whitehorse General Hospital, with the assistance of the Department of Health and Social Services, is purchasing a new improved mammography machine which will assist in the early detection of breast cancer.

1134. The Children's Drug and Optical program was introduced in 1998, to assist low-income families with the cost of prescription drugs, eye exams and eyeglasses for children 18 years of age and younger.

1135. The Children's Dental Program has been enhanced to provide additional services to all Yukon school children.

1136. The Healthy Families Initiative reaches out to young parents and parents at risk by promoting positive parenting and child rearing practices.

1137. A Midwifery Planning Group has been established to discuss midwifery and work with the Department of Health and Social Services in establishing legislation related to the practice of midwifery.

1138. A Reproductive Health Coordinator is working within the Department of Health and Social Services to provide information on family planning, sexually transmitted disease prevention, prenatal/postnatal health, early disease identification (e.g., breast self-examination) and menopause.

1139. Expectant mothers from outlying communities who must travel to Whitehorse to await the birth of their child are able to receive assistance with accommodation through Hospitality House (Rotary House). A hostel program at Whitehorse General Hospital is also available to clients and their caregivers who are directly involved with the services available at the hospital.

1140. In the fall of 1998, the Yukon Government passed amendments to the *Limitation of Actions Act*. These amendments recognized the plight of survivors of sexual abuse and their intense need for healing — by removing the time restrictions in matters of sexual abuse so that survivors can take action at any time. The amendments also apply to minors who suffered sexual assault or sexual misconduct in childhood. Moreover, the amendments provide for a transition phase that may serve to revive "time-expired" claims — provided the right to bring these claims was never prohibited in the first place.

Article 13: Economic and Social Life

1141. The Yukon Government has introduced two major anti-poverty initiatives that make more disposable income available to Yukon families and individuals who need it most. The Yukon Child Benefit is a direct, monthly cash payment for lower income Yukon families with children under 18 years of age. There is no tax on these benefit payments, and they are not counted as income for the purpose of determining social assistance. The Yukon Low Income Family Tax Credit is a non-refundable. personal income tax credit which will reduce the Yukon income tax that low-income Yukoners pay. This measure targets taxpayers with net incomes of less than $25,000.

1142. The Kid's Recreational Fund was established by the Yukon Government to enable children and youth, whose families are experiencing financial hardship, to actively participate in organized recreational programs. Funding is available to help cover registration fees, equipment and supplies for organized sports, arts, cultural, recreational and social activities.

1143. In 1996, the Directorate worked in collaboration with Sports and Recreation to address the issue of harassment in sports. Changes to Community and Transportation's *Yukon 2000* report were included to address the issues of gender and harassment.

1144. The *Maintenance and Custody and Enforcement Act* provides for an order of a court in or outside Yukon for payment of monies as maintenance or support. The *Reciprocal Enforcement of Maintenance Orders Act* provides for the enforcement of a reciprocal enforcement order in another province, state or country. Yukon currently operates reciprocal enforcement with all Canadian provinces and territories, and with 30 U.S. states and other countries.

1145. This Act was amended and passed in 1998 and proclamation is expected in the fall of 1999. The amendments included new enforcement measures enabling the government to:

- apply writs of garnishment or writs of seizure and sale against a corporation in which the respondent/debtor is the sole shareholder or has a controlling interest or his/her immediate family controls the corporation
- remove the 30-day hold on garnished funds, except where a third party has an interest in the money

- provide for orders against a respondent to be enforceable against the respondent's/debtor's trade or business name or against a respondent's/ debtor's share of a partnership
- remove the limitation period of 10 years on the collections of arrears
- extend the life of garnishments from one year to until withdrawn by the director of maintenance enforcement

Article 14: Rural Women

1146. In 1996-97, the Family Violence Shelter funding policy was established to provide stable funding to shelters in the outlying communities. These shelters offer safe homes, referral and follow-up services to abused women.

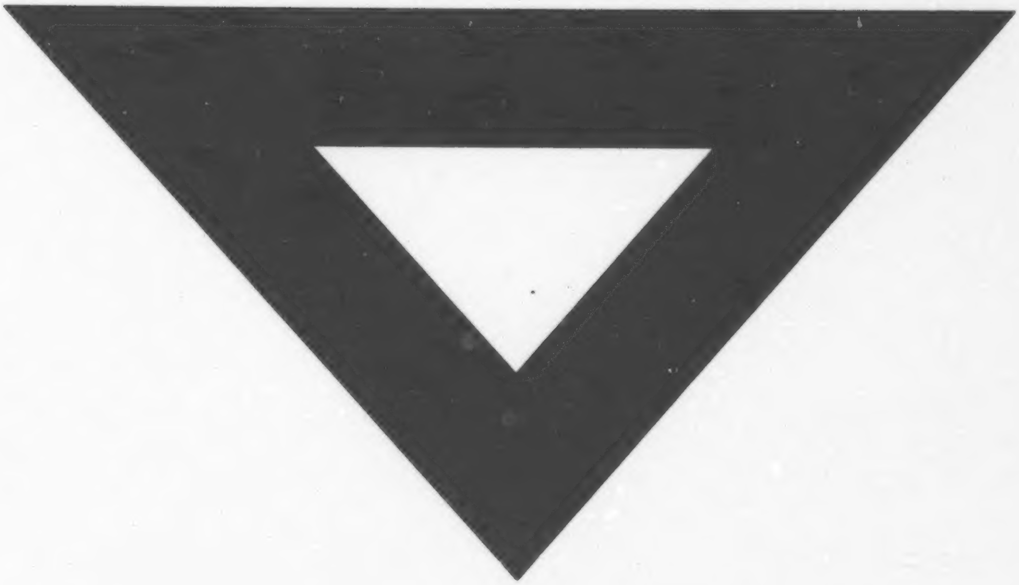
1147. The Department of Health and Social Services has increased funding and expanded mental health services in rural communities to meet both clinical and training needs for rural communities.

1148. Increased funding has been provided to the Child Abuse Treatment Service to provide clinical services for abused children and their family members in rural communities.

1149. In 1996-97, the Department of Health and Social Services provided an increase in child care services to support licensing of rural child care spaces.

1150. Since 1997, the Department of Health and Social Services has contributed $30,000 per year to the "Food for Learning" school nutrition program. Schools in rural Yukon actively participate in this program which provides nutritious lunches and snacks for those students in need.

1151. In 1998-99, the Department of Health and Social Services introduced the community telemedicine project in three rural communities. Through this program, health care workers in these communities can capture static or video images and transmit them electronically to Whitehorse General Hospital for clinical diagnosis by medical personnel. Telemedicine offers the potential for improving the quality of life of people in rural Yukon by making a wider range of diagnosis and treatment options available closer to their home.

1152. In 1997, the Department of Health and Social Services established the Health Partnership Committee to work with communities and First Nation Health Directors to develop preventive health and social programs for rural Yukon.